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THE LOST PATH: REGULATING TRANSIT ILLEGAL IMMIGRATION ON MEXICO'S SOUTHERN BORDER

by

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December 2014

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This thesis focuses on the efforts that the Mexican government has made for the regulation of illegal immigration in transit through the country. This study explores the origins and trends of Central American migration, the complexity of Mexico's southern border, and the reasons for the failure of plans and programs implemented by three different administrations to regulate and protect migration flows. It finds that those plans and programs failed because Mexico did not perceive the control of Central American illegal immigration as an end; instead, it has been used to foster foreign policy objectives or to respond to second-order effects produced by the war against organized crime.

Since 2000, Mexican administrations have faced different realities, both domestic and international, which have shaped their response for border management and the regulation of illegal immigration. Security and the reordering of regional migration flows have been the priorities, relegating transit migration to a second plane. Mexico has accomplished important advances to give certainty and protection to illegal immigrants, but an integral and effective framework to regulate migration is lacking. Processes of planning, implementation, and evaluation of migration policies are barely defined, and the implementation of plans and programs is ineffective due to institutional weaknesses. The regulation of transit migration in Mexico is an unresolved issue.

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**THE LOST PATH: REGULATING TRANSIT ILLEGAL IMMIGRATION ON
MEXICO'S SOUTHERN BORDER**

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Submitted in partial fulfillment of the
requirements for the degree of

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ABSTRACT

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Monterey was when you and your families were here. I want to thank you both for always listening to me, and for letting me be part of your lives. If I feel proud about something, it is for being your brother.

When I came to the United States to study, I left the love of my life in Mexico, and that was what hurt me the most. Mónica, you have seen the lives of migrants closer than me, working to help them build a better future at home. I thank you for sharing that experience and the views of your wonderful father with me. I counted on you, and you did not let me down. You gave me all the support, advice, and love that I needed in so many ways. You are beautiful, smart, humble, but above everything, you are what I want for the rest of my life. I want to thank you for the sense and purpose you have given to my life, for your comprehension, and for your company during the nights in which I had to work until late. I am looking forward to compensating your sacrifices for being with me. Please, consider all the effort that I put in this work as recognition to your father, the love for his family, and his indomitable spirit.

When I thought about writing a thesis on illegal immigration, I reflected on what was going on in the United States and how it was for migrants to live in a foreign country hidden in the shadows; however, after discussions with many Mexicans in this country, I found that they at least have a chance for a better life here. Mexico, from time to time, has been doing better; the country is trying to improve the lives of its citizens to prevent them from leaving. There are good economic and political relations between Mexico and the United States; furthermore, there are huge Mexican communities in the United States, as there are U.S. citizens living in Mexico, proving that it is possible to find equilibrium between two different cultures. Then I met Prof. Rodrigo Nieto-Gómez, and his teachings took me south to Central America and the southern border of Mexico. He gave a different perspective about my country and the relations that exist at the borders. I realize that the problems of illegal immigration did not start in Mexico, and that something could be done to improve the conditions of Central American migrants in transit through my country. Rodrigo, I would not be able to finish this work without your professionalism and enthusiasm, but I do not want to stop there. I humbly say that you are one of the most honest and brightest persons I ever met in my life. I thank you for the time, the

I. INTRODUCTION

This study seeks to answer the following question: Why have the strategies, plans, and programs implemented by the Mexican government, since 2000, failed to regulate illegal immigration on the southern border of Mexico? To answer this question, this thesis identifies Central American illegal immigration trends to the United States through Mexico. An assessment of the southern border of Mexico, including the presence of the state and illegal migration routes follows. This project then presents an analysis of Mexico's strategies, plans, and programs implemented since 2000 to halt illegal immigration.

Illegal immigration links the northern and southern borders of Mexico; however, border management models, policies, and resources vary substantially from one border to the other.[1] For instance, on the northern border, the United States has invested billions of dollars in technology and infrastructure, and the number of border patrol agents has been doubled.[2] By contrast, the southern border lacks a model for border management,[3] and the resources available are minimal.[4] Factors, such as globalization and free trade, socioeconomic inequality between the north and the south, U.S. homeland security policies, and the increase of Central American illegal migration have captured the Mexican government's attention.[5] Likewise, public and international concerns about violence, organized crime, human rights abuses, and unaccompanied alien children have

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[1] José P. Liedo Fernández, "Diagnóstico General de la Frontera Sur: Región de Limites y Encuentros," *ECOfronteras* no. 26 (December 2005): 28–33, accessed July 25, 2014. http://revistas.ecosur.mx/ecofronteras/index.php/eco/article/view/875/868. See also Peter Andreas, Border Games: Policing the U.S. Mexico Divide (New York: Cornell University Press, 2009), 14.

[2] Rebecca Gambler, "Border Patrol: Goals and Measures Not Yet in Place to Inform Border Security Status and Resources Needed," Government Accountability Office GAO-13-330T (2013): 2, accessed August 19, 2014, http://www.gao.gov/assets/660/652331.pdf.

[3] Plan Nacional de Desarrollo 2013–2018. Diario Oficial de la Federación 20–05-2013. Accessed October 19, 2014, http://www.diputados.gob.mx/LeyesBiblio/compila/pnd.htm

[4] Raúl Benitez Manaut, "México, Centroamérica y Estados Unidos: Migración y Seguridad," in *Migración y Seguridad: Nuevo Desafío de México*, ed. Natalia Armijo Canto (Mexico City: Colegio de Análisis de la Seguridad Democrática, 2011), 181, ttp://www.seguridadcondemocracia.org/mys/cap10.pdf.

[5] Antonio García García and Edith F. Kauffer Michel, "Transboundary Rivers Basins between Mexico, Guatemala, and Belize: From Demarcation to General Issues," *Frontera Norte* 23, no. 45 (2011), http://www.scielo.org.mx/scielo.php?pid=S0187-73722011000100005&script=sci_arttext.

dominated media attention in both Mexico and the United States. In view of this, the Mexican government has reacted by implementing different types of measures to manage its southern border and regulate illegal immigration. For instance, it implemented operations such as "Sellamiento" in 1998,[6] "Plan Sur" in 2001,[7] the "Plan de Reordenamiento de la Frontera Sur" in 2008, and the "Programa de Apoyo a la Zona Fronteriza" in 2013.[8] Furthermore, the government has applied gradual militarization policies to secure the border.[9] It also used economic development programs and migration reforms. Despite these measures, illegal immigration in transit through Mexico has not declined; instead, the vulnerability of transit migrants has increased.[10]

A.   SIGNIFICANCE OF THE RESEARCH QUESTION

Movement of people across borders occurred even before the formation of the Westphalian state. However, over the past 25 years, international migration has doubled, increasing from 154 million people living abroad in 1990, to 232 million people in 2013.[11] Particularly after the September 11, 2001, terrorist attacks, the interest in border control and illegal immigration has increased dramatically. Research has been concentrated in developed countries as a destination for migration. Nevertheless, the assessment of destination countries must be complemented with an analysis of origin and

[6] Carol L. Girón Solorzano, "La Frontera Guatemala–México: Un Intento por Reconocer sus Múltiples Dinámicas," in *Fronteras: Rupturas y Convergencias*, ed. Fernando Carrión and Victor Llugsha (Quito: Facultad Latinoamericana de Ciencias Sociales, August 2013), 160.

[7] George W. Grayson, "Mexico's Forgotten Southern Border: Does Mexico Practice at Home What It Preaches Abroad?," *Center for Immigration Studies*, July 2002, http://cis.org/MexicoSouthernBorder-Policy.

[8] Secretaría de Hacienda y Crédito Público, "Programa de Apoyo a la Zona Fronteriza," Informe Semanal del Vocero, December 2–6, 2013, http://www.shcp.gob.mx/SALAPRENSA/doc_informe_vocero/2013/vocero_49_
2013.pdf.

[9] Raúl Benítez Manaut and Armando Rodríguez Luna, "México: La Seguridad Nacional en 2012," in *Seguridad Regional en América Latina y el Caribe; Anuario 2012*, ed. Hans Mathieu and Catalina Niño Guarnizo (Bogota: Friedrich Ebert Stiftung, 2012), 150.

[10] Demetrios G. Papademetriou, Doris Meissner, and Eleanor Sohnen, *Thinking Regionally to Compete Globally: Leveraging Migration & Human Capital in the US, Mexico, and Central America* (Washington, DC: Migration Policy Institute), May 2013, 16, http://www.migrationpolicy.org/research/thinking-regionally-compete-globally-leveraging-migration-human-capital-us-mexico-and.

[11] "232 Million International Migrants Living Abroad Worldwide: New UN Global Migration Statistics Reveal," UN Department of Economic and Social Affairs, accessed August 13, 2014. http://esa.un.org/unmigration/wallchart2013.htm.

transit countries to understand and regulate illegal immigration and to manage borders efficiently.[12] In this sense, the study of Mexico as a country of immigration, emigration, and transit contributes to that purpose.[13]

An analysis of Mexico's immigration policies on the southern border is relevant for a number of reasons. First and foremost, identifying well-defined and clear policies for border management and illegal immigration regulation can help improve human rights conditions, especially those of migrants in transit through Mexico. To some extent, clarifying policies can make illegal immigrants less vulnerable to organized crime and governmental extortion by law enforcement agencies because they will have access to due process, transparent and efficient tools to regularize their status, and to enter and transit along the country out of the shadows of illegality.

An assessment of policies implemented and results obtained thus far can also help to identify the gap between Mexico's official immigration policies, actual border management practices, and outcomes. Furthermore, this analysis allows the identification of the issue areas in which border resources are more crucial. Until now, much of the attention has focused on the role of border patrol agents, yet border management requires a panoply of policies, including legal, welfare, and justice resources.

At present, Mexico is seeking to eliminate discrepancies between its immigration and emigration policies to be in a better position to demand better treatment for its nationals in the United States.[14] This implies a change from the "war on immigration"[15] perspective towards a "friendly but secure gates" approach. Furthermore, the Mexican government is attempting to demonstrate that the control of migration can be both feasible and flexible "without having to build a wall or limit border mobility."[16] Cecilia

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[12] Laura V. González-Murphy, *Protecting Immigrant Rights in Mexico: Understanding the State-Civil Society Nexus* (New York: Routledge, 2013), 3.

[13] Papademetriou, Meissner, and Sohnen, Thinking Regionally to Compete Globally, 16.

[14] González-Murphy, *Protecting Immigrant Rights in Mexico*, 42.

[15] David Androff, "Human Rights and the War on Immigration," in *The Criminalization of Immigration: Context and Consequences*, ed. Alissa R. Ackerman and Rich Furman (North Carolina: Carolina Academic Press, 2014), 148.

[16] González-Murphy, *Protecting Immigrant Rights in Mexico*, 64.

Romero Castillo, former commissioner of the National Immigration Institute, described Mexican government policies toward border management with the phrase "friendly but secure gates,"[17] while emphasizing the equilibrium between human rights and security in the regulation of migration. However, she resigned after the Zetas Cartel killed 72 illegal immigrants in San Fernando, Tamaulipas,[18] proving that if the borders were secure and friendly, the migration routes through Mexico were dangerous and hostile. The assessment of the Mexican government's illegal immigration policies and border controls applied over time demonstrates how Mexico has modified those policies and controls according to national interests and international conditions, and up to what level has been successful on switching from securitization to regulation.[19]

Reduction of inconsistencies between illegal immigration policies and outcomes is complicated because of disagreements at the national and international levels between both means and ends.[20] This thesis also sheds some light on how bordering states (such as the United States and Mexico and/or Central America and Mexico) can jointly manage their respective borderlands, synchronizing objectives and methods. As has recently become evident with the unaccompanied children migrants from Central America, the regulation of immigration flows requires international cooperation and coordination. By focusing on the Mexican southern border, this thesis aims to identify the issue areas in which Mexico needs to fully cooperate and coordinate with various international actors, including bordering states, non-governmental organizations (NGOs), and international organizations.

B.   LITERATURE REVIEW

Most of the literature on the southern border of Mexico has focused on its historical development, diagnostics about its insecure and porous conditions, and the

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[17] Ibid., 42.

[18] Randal C. Archibold, "Mexican Official Quits," The New York Times, September 14, 2010, http://www.nytimes.com/2010/09/15/world/americas/15mexico.html.

[19] González-Murphy, *Protecting Immigrant Rights in Mexico*, 4.

[20] Philip L. Martin, "The United States: The Continuing Immigration Debate," in *Controlling Immigration: A Global Perspective*, ed. James F. Hollifield et al., 3rd ed. (Palo Alto, CA: Stanford University Press, 2014), 69.

characterization of legal and illegal flows across the border. The current threats to this border are drug trafficking, weapons smuggling, human trafficking, and illegal immigration.[21] Likewise, the southern border of Mexico is vulnerable for several reasons: the weak presence of the state, the lack of doctrine and training of the armed forces used in law enforcement functions, the trans-nationality of organized crime and illegal immigration, and corruption in the security, political, and administrative branches of government.[22] Threats and vulnerabilities are a part of the puzzle to explain why the state's plans and strategies have failed to manage the southern border of Mexico and to regulate immigration; however, no analysis has explained the gaps between government plans, objectives, and results.

As the main purpose of this study is to investigate why plans and strategies to regulate illegal immigration along the southern border of Mexico have failed, it is necessary to analyze the literature related to the three main parts of the conundrum: illegal immigration, border management, and threats along the southern border of Mexico. All three components are introduced in the next section.

1. Illegal Immigration

The British were the first to use the term *illegal immigration* systematically to describe undesirable Jewish immigrants to Palestine from 1920 to 1947;[23] however, a universally accepted definition of illegal immigration does not exist.[24] This concept has changed according to legal, political, economic, and social factors and the government response to what public opinion considers an illegal immigrant.[25] The International

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[21] Comisión Sur Sureste, "Diagnóstico Frontera Sur," December 6, 2011, http://www.conago.org.mx/reuniones/documentos/2011-12-06/20111201_DIRSS_DIAGNOSTICO_FRONTERA_SUR_TAB.pdf.

[22] Raúl Benítez Manaut, "La Nueva Seguridad Regional: Amenazas Irregulares, Crimen Organizado y Narcotráfico en México y América Central," *FRIDE* (March 2009): 2.

[23] Frank Düvel, "Irregular Migration," in *Global Migration Governance*, ed. Alexander Betts (Oxford, UK: Oxford University Press, 2012), 79.

[24] "Key Migration Terms," International Organization for Migration, accessed July 20, 2014, http://www.iom.int/cms/en/sites/iom/home/about-migration/key-migration-terms-1.html.

[25] Kristin Couper and Ulysses Santamaria, "An Elusive Concept: The Changing Definition of Illegal Immigration in the Practice of Immigration Control in the United Kingdom," International Migration Review 18, no. 3 (Autumn 1984): 451.

Organization for Migration argues that sending and receiving countries define illegal immigration under their terms, but it makes a distinction between irregular and illegal immigration.[26] The International Council on Human Rights Policy argues that the term "illegal" has been broadly used to support the belief that irregular migrants are criminals and to justify restrictive measures to control illegal migration.[27] Scholars use a binary relation to differentiate between mutually exclusive properties of immigration. They identify different immigration pairs like internal vs. international, temporary vs. permanent, regular vs. irregular, economic vs. political, and voluntary vs. forced migration.[28] The classification of immigrations helps to differentiate between causes, methods, and purposes of migration, and consequently, contributes to the determination of immigration controls and policies and to understand why these policies fail.[29]

2.   Theories for Developing Illegal Immigration Policies

Migration policies are laws, regulations, and measures that governments define and implement with the objective of controlling the volume, characteristics, and direction of immigration.[30] However, illegal immigration is an interdisciplinary subject that cannot be described using a single theory.[31] For instance, neoclassical economic theory argues that immigration is based on individual decisions for income maximization and focuses on differentials in wages, employment opportunities, and the costs and risks of migration to describe migration flows.[32] This theory explains that labor markets are the primary mechanism shaping migration flows, and the differential of expected returns between

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[26] "Key Migration Terms."

[27] International Council on Human Rights Policy, Irregular Migration, Migrant Smuggling, and Human Rights: Towards Coherence (Geneva: International Council on Human Rights Policy, 2010), 16.

[28] Russell King, "Theories and Topologies of Migration: An Overview and a Primer," Willy Brandt Series of Working Papers in *International Migration and Ethnic Relations* 3, no. 12 (2012): 8.

[29] Henry H. Willis et al., "Measuring the Effectiveness of Border Security Between Points-of-Entry," *Homeland Security and Defense Center*, 2010, 20, accessed July 10, 2014, http://www.rand.org/pubs/technical_reports/TR837.html.

[30] Mathias Czaika and Hein de Haas, "The Effectiveness of Immigration Policies," *Population and Development Review* 39, no. 3 (September 2013): 489.

[31] King, "Theories and Topologies of Migration," 8.

[32] Douglas S. Massey et al., "Theories of International Migration: A Review and Appraisal," *Population and Development Review* 19, no. 3 (Septermber 1993): 433, 4.

countries regulates the dimension of those flows. Neoclassical economics advocates conclude that the most effective way for governments to regulate migration is to influence labor markets accordingly to their interests.[33] Policies using a market's perspective to control illegal immigration ignore issues like forced migration and social networks; therefore, the results of these policies will be a reduction of economic migration without resolving other types of migration.

The new economics of migration theory challenges the assumptions and conclusions of neoclassical theory. It combines family decision making with neoclassical economics to explain the causes of migration. This approach argues that migration decisions are not based on individual interests; instead, they are the result of family and household consensus.[34] The choice to migrate is the result of combining income maximization, income diversification, and risk aversion at the household level. Therefore, a decline in the economic gap between sending and receiving countries does not necessarily imply a reduction of international migration.[35] Advocates of the new economics of migration argue that governments can regulate immigration flows by enacting policies to influence labor, insurance, and capital markets;[36] however, these policies ignore pushing factors like organized crime related violence and ethnic cleansing producing forced migration.

Other scholars have proposed a systems approach for studying migration because of its analytical focus on structure, relations, and process. The use of systems theory allows the study of immigration and the development of policies beyond a linear, causal, and push-pull explanation to an emphasis on circular, multi-causal, and interdependent movements.[37] This theory concludes that political and economic changes produce an evolution of the immigration system that finally reaches stability; however, that stability

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[33] Massey, "Theories of International Migration," 434.

[34] Ibid., 432.

[35] Ibid., 436, 40.

[36] Ibid.

[37] King, "Theories and Topologies of Migration," 20.

does not imply a permanent structure.[38] Critics of the systems approach argue that is not possible to construct a reliable model of the immigration system and policies for its regulation because of the lack of data available and the ingenuity and spontaneity of migrants that change the system in response to those policies.[39]

An extension of system theory for understanding immigration is the study of migration networks theory. Migrant networks are sets of interpersonal ties that connect migrants, former migrants, and non-migrants in origin and destination countries. The main types of networks are family and personal, labor, and illegal immigrant. These networks increase the propensity of international migration because they lower transactional costs and risks of movement and increase the expected net returns. This theory concludes that once international migration has begun, it expands over time up to a maximum in which movement occurs without difficulty; then migration decreases. For networks theory, migration is not a consequence of wage differentials or employment rates and becomes increasingly independent of the initial structural or individual factors that motivate it; instead, migration is a function of the expansion of personal relations and the growth of migrant nets. According to Russell King, networks theory allows the formulation of policies considering individual and socio-structural factors that go beyond causal explanations and push-pull theories. He argues that network theory helps to understand the dynamics of migration; resolve the distinction between the initial causes of migration, its perpetuation, and its diffusion in time and space;[40] however, the strictness of this theory to social aspects make it inadequate to develop illegal immigration policies to control all phases of migration.

Scholars have used political science (Marxist, partisan politics, and institutional approaches), international relations, sociology, and psychology to explain illegal immigration policies.[41] The Marxist approach describes the way in which states

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[38] Massey, "Theories of International Migration," 454.

[39] King, "Theories and Topologies of Migration," 21.

[40] Ibid., 21–22.

[41] Eytan Meyers, "Theories of International Immigration Policy: A Comparative Analysis," International Migration Review 34, no. 4 (Winter 2000): 1246.

implement selective immigration policies in pursuing economic gains through low-wage workers. The domestic politics approach depicts how public opinion, xenophobia, economic, and social factors shape immigration policies. The institutional approach describes the policy-making processes of immigration policy, and it is more related to the regulation of refugees and migrant workers. International relations approaches are useful for identifying the participation of international organizations and the establishment of international regimes to regulate immigration in aspects, such as labor, human rights, refugees, and human trafficking. Sociology and psychology approaches describe the historical experiences, cultural relations, and social conflicts that have shaped immigration policies.[42] All these theories contribute to defining immigration policies and controls, but each suffers from certain limitations.

For instance, Eytan Meyers argue that political sciences and comparative politics contribute more than international relations approaches to the understanding of immigration policies. He explains that since international relations approaches describe the relations between states rather than domestic policies, they cannot identify the effects of immigration on the sovereignty, society, politics, identity, and states' national interests. Nonetheless, Meyers explains that the tendency to identify illegal immigration as a national security threat has increased the relevance of international relations theories.[43] Meyers's arguments are realistic because he affirms that destination countries for immigration are stronger than the ones of origin, and they can impose illegal immigration regimes to deter and punish immigrants. However, he ignores the effects of globalization and interdependence, the emergence of transit states, and the argument of many scholars that a single country cannot eradicate transnational problems as illegal immigration.

Migration theories previously explained are not contradictory, but they have different implications for policy makers. Depending on the theory selected, policies to regulate migration are oriented to reduce the differential of economic and labor conditions between origin and destination countries, to create new markets, to establish

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[42] Meyers, "Theories of International Immigration Policy," 1246–1247.

[43] Ibid., 1269.

social insurance programs in sending societies, to increase deterrence measures and border controls,[44] or to combine some of these actions.[45] Scholars agree that regular and illegal migration will persist while transnational relations, economic inequality between origin and destination countries, and poor living conditions and violence in origin countries continue to exist.[46] Immigration policies have failed because they have no direct relation with structural factors, such as labor market imbalances, economic inequality, and political conflicts in origin countries.[47] Therefore, the context of each country must define the theory or the combination of theories used to develop illegal immigration policies and their adaptation.

Illegal immigration has become a national security concern, with three competing and complementary areas to define immigration controls: human rights, security, and the economy.[48] However, governments have prioritized security and the economy with the subsequent marginalization of human rights.[49] Some states relate illegal immigration to the inflows of illegal drugs, terrorism, and weapons of mass destruction. Governments' efforts to diminish these illicit flows have been concentrated at international borders because such global activities are driven by transnational criminals seeking to exploit the geographic and jurisdictional complexity of borders and borderlands.[50] The next section describes border management theories for their relevance to the regulation of illegal immigration.

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[44] Tom K. Wong, "Conceptual Challenges and Contemporary Trends in Immigration Control," in *Controlling Immigration: A Global Perspective*, ed. James F. Hollifield et al., 3rd ed. (Palo Alto, CA: Stanford University Press, 2014), 42.

[45] Massey, "Theories of International Migration," 463.

[46] International Council on Human Rights Policy, "Irregular Migration," vii.

[47] Czaika and Haas, "The Effectiveness of Immigration Policies," 487.

[48] Alexander Betts, Conclusion to *Global Migration Governance* (Oxford, UK: Oxford University Press, 2012), 318–319.

[49] International Council on Human Rights Policy, "Irregular Migration," 2–3.

[50] Marc. R. Rosenblum, "Border Security: Immigration Enforcement Between Ports of Entry," *Congressional Research Service* no. R42138 (2012): 2.

3. Border Management

Borders are defined and treated according to the context and necessities of the entities separated or connected through them. States require the knowledge of that context and the socioeconomic and political complexities of borders to manage them efficiently. Geoffrey Hale explains that borders are both political and societal constructs that reflect the ways in which states define their policies for border management. He also describes how those policies changed over time from globalization and regionalization during the 1990s that contributed to the incremental cross-border flows of people and goods, to the growing emphasis on security during the last decade.[51] Likewise, Otwin Marenin explains that while borders provide security against changing transnational threats and protection for social and economic interests, they can simultaneously be open for trade and guest workers. One of his most valuable contributions is the distinction between process and space, when mentioning, "Borders exist wherever controls over the mobility of people, goods, services and capital in and out of states or regions are exercised."[52] Therefore, states can manage borders and regulate illegal immigration using extraterritorial measures.

Border management is a combination of state policies and actions oriented to regulate immigration, facilitate trade, provide security, and fight illicit activities; however, disagreement occurs at the national and international levels about models, means, and ends to manage borders.[53] The border management major dilemma is to determine measures to allow free trade and the movement of legal migrants and refugees through the border while blocking illegal migrants, criminals, and other illicit flows.[54] Some scholars suggest a balanced border management approach between open and closed borders. They argue that globalization and security threats demand innovative ways to

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[51] Geoffrey Hale, "Editorial Review of Borderlands: Comparing Border Security in North America and Europe," *Canadian Foreign Policy*, 2007, http://www3.carleton.ca/cfpj/Without%20subscription/15-2Hale.pdf.

[52] Marenin, "Challenges for Integrated Border Management," 43.

[53] Martin, "The Continuing Immigration Debate," 69.

[54] Otwin Marenin, "Democratic Oversight and Border Management: Principles, Complexity, and Agency Interests," (paper presented at the workshop "Managing International and Inter-Agency Cooperation at the Border, Geneva, Switzerland, March 13–15, 2009): 5.

manage borders in which it is possible to facilitate a global free market and simultaneously protect a state's sovereignty, national identity, and citizens' interests. Academics also recognize that border management processes filtering legal from illicit flows must balance human rights, security, and economic concerns.[55] However, since 2001, illegal immigration has become a national security issue,[56] and the trend in developed countries has been to prioritize security and law enforcement perspectives to control borders, which is contradictory to globalization, economic interdependence, and social and humanitarian protection.[57]

Governments have used globalization as an excuse to tighten immigration controls, which have transformed an economic and law enforcement issue into a national security concern. Valsamis Mitsilegas explains that globalization has transformed immigration policies following three major trends: securitization; delegation of immigration control to the private sector, government agencies, or databases; and extraterritoriality.[58] Some states relate illegal immigration with organized crime, terrorism, and economic and social instability, a vision that has allowed the imposition of a global regime for the securitization of borders and the criminalization of immigration. According to Mitsilegas, controlling illegal immigration through securitization has increased the power of the state at the expense of human rights of immigrants and citizens. He argues that the United Nations Convention on Transnational Organized Crime and its additional protocols for preventing human trafficking and smuggling were the first international instruments to control illegal immigration, but instead of seeking the protection of immigrants, they were prompted by security concerns and as a excuse for the globalization of stricter border controls.[59] The orientation on security has

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[55] Betts, Global Migration Governance, 318–319.

[56] Fiona B. Adamson, ""Crossing Borders: International Migration and National Security," *International Security* 31, no. 1 (Summer 2006): 165.

[57] Geoffrey Hale, "In Search of Effective Border Management," *A Changing World: Canadian Foreign Policy Priorities*, no. 3 (February 2009): 6, 8.

[58] Valsamis Mitsilegas, "Immigration Control in and Era of Globalization: Deflecting Foreigners, Weakening Citizens, and Strengthening the State," *Indiana Journal of Global Legal Studies* 19, no. 1 (Winter 2012): 46.

[59] Mitsilegas, "Immigration Control in and Era of Globalization," 5.

increased the complexity for coexistence and interdependence in borderlands; however, that approach has been adopted on different scales according to the context, resources, and the capacity of states to resist internal and external pressures.

Securitization includes interdiction, deterrence, and networked intelligence capabilities to control illegal immigration,[60] and it allows the implementation of extraterritorial measures to regulate people's mobility beyond borders.[61] However, stricter border controls have not reduced illegal immigration flows. On the contrary, some scholars argue that securitization has produced a proliferation and sophistication of human smuggling and trafficking networks.[62] Furthermore, securitization has forced illegal migrants to become more adventurous and ingenious in crossing borders, subjecting them to a greater risk of being wounded, kidnapped, or assassinated.[63]

One approximation related to securitization is the militarization of borders, a practice that according to Ivan Briscoe has been common in Latin American governments in an effort to interrupt criminal networks and to cleanse corrupt public security agencies. He explains how that tendency has produced more vulnerability in the long term given that institutions are not created and consolidated to assume management of borders once the armed forces turn to other functions.[64] Michael Shifter argues that a militarized approach, even its popularity, and at some degree, its necessity in Central America and Mexico, has not produced sustainable results, and just serves as a partial solution to increase the seizure of drug shipments and capture organized crime leaders, but without addressing the deficiencies in law enforcement institutions and the socioeconomic roots of criminal violence.[65] Likewise, Arturo Sotomayor explains that international pressures

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[60] Willis, "Measuring the Effectiveness of Border Security," 21.

[61] Mitsilegas, "Immigration Control in and Era of Globalization," 12.

[62] International Council on Human Rights Policy, "Irregular Migration," 28.

[63] Ibid., 29.

[64] Ivan Briscoe, "Trouble on the Borders: Latin America's New Conflict Zonez," *FRIDE*, July 2008, http://www.fes-seguridadregional.org/index.php?option=com_booklibrary&task=view&id=3688&catid=267&Itemid=6.

[65] Michael Shifter, "Countering Criminal Violence in Central America," *Council on Foreign Relations*, Special Report no. 64 (April 2012): 12, http://www.cfr.org/latin-america-and-the-caribbean/countering-criminal-violence-central-america/p27740.

and tacit support of civil society have produced Mexico's militarization. He identifies unintended consequences of militarization, including human rights violations, erosion of civilian oversight, lack of coordination among security agencies, and spillover effects in Central America.[66] Sotomayor suggests that high levels of violence related to the presence of Mexican organized crime groups in Guatemala, El Salvador, and Honduras can produce forced migration as during the civil wars in these countries during the 1980s and 1990s.

International institutions, such as the Organization for Security and Cooperation in Europe and the World Customs Organizations, have developed border management models to improve effectiveness and efficiency of border procedures and coordination among agencies. Those models are Collaborative Border Management, Coordinated Border Management, Comprehensive Border Management, and Integrated Border Management (IBM).[67] The difference between these models is the type of agencies involved, the level of organization, and the extension of border control. Collaborative Border Management includes the participation of domestic agencies related to border management in an intensive but informal manner. In the Coordinated Border Management model, national border agencies coordinate efforts through formalized channels. Under the Comprehensive Border Management approach, all government agencies participate in the control of the border through direct and indirect programs. IBM differs from the other border management models since it has an extraterritorial scope. The objective of IBM is to achieve national and international coordination and cooperation among authorities and agencies involved in border security and trade facilitation to achieve open but well controlled and secure borders.[68]

The conceptual framework of the IBM model consists of control and surveillance, operational and interagency cooperation, risk analysis and threat assessment, a four-tier filter access control model, the exchange of information, use of technology, and

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[66] Arturo Sotomayor, "Militarization in Mexico and Its Implications," in The State and Security in Mexico: Trasnformation and Crisis in Regional Perspective (New York: Routledge, 2013), 49.

[67] Mariya Polner, "Coordinated Border Management: From Theory to Practice," World Customs Journal 5, no. 2 (2012): 51.

[68] Polner, "Coordinated Border Management," 51, 3.

coordination at the national and transnational levels.[69] Otwin Marenin argues that border management strategies are based on the use of technology and dispersed systems oriented to individuals and not to the border.[70] He explains how technology can be used to "delocalize" the border to reduce the pressure exerted over it, and to enhance the control of flows and security.[71] Marenin introduces the concept of "collateral thickening" as an indirect way to control borders,[72] and he explains the risks, advantages, and requirements to implement horizontal and vertical integration approaches for border management.[73]

Since illegal immigration is a transnational phenomenon, the European Union is using and promoting IBM to manage external borders through extraterritorial controls.[74] These controls have allowed the thickening of the border with the implementations of pre-admission measures outside the destination countries, the deterring of immigration at the source countries, and the circumvention of domestic laws since they do not apply outside their territory.[75] The European Union through the Border Security in Central America (SEFRO) program is helping to implement the IBM model in this region.[76] With the implementation of Pastor's idea of North American integration,[77] the IBM model can be applied through different layers of control inside, along the border, and outside the region with the cooperation of neighbor states. However, the divergence of interests, unilateralism, and socioeconomic and cultural differences make the adoption of the IBM model in North America more complicated than in Europe. Likewise, Daniel Villafuerte

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[69] Sergio Carrera, "The EU Border Management Strategy: FRONTEX and the Challenges of Irregular Immigration in the Canary Islands," *Center for European Policy Studies*, Working Document no. 261, March 2007, 3–4, http://www.ceps.be/book/eu-border-management-strategy-frontex-and-challenges-irregular-immigration-canary-islands.

[70] Carrera, "The EU Border Management Strategy," 5.

[71] Marenin, "Challenges for Integrated Border Management," 43.

[72] Ibid., 48.

[73] Ibid., 59.

[74] Stephen Castles and Nicholas Van Hear, "Root Causes" in *Global Migration Governance*, ed. Alexander Betts (Oxford, UK: Oxford University Press, 2012), 293.

[75] Mitsilegas, "Immigration Control in and Era of Globalization," 42.

[76] Ralph Espach and Daniel Haering, "Border Insecurity in Central America's Northern Triangle," *Migration Policy Institute*, November 2012, 11, http://www.migrationpolicy.org/research/RMSG-CentAm-border-insecurity.

[77] Robert A. Pastor, *The North American Idea* (Oxford, UK: Oxford University Press, 2011), 10.

Solis describes some instruments for security integration in Central and North America as the Third Border Initiative, the Smart Border Agreement,[78] and the High-Level Group on Border Security (GANSEF), but he does not include an assessment about the application of such instruments and how they have contributed to regional integration.[79]

4.   The Complexity of Mexican Borders

Mexico is a country of contrasts, with cultural, economic, and social distinctions between the northern and southern parts of the country. Robert D. Kaplan explains that Mexico does not have geographical unity, with northern Mexico being closer to the United States than to the rest of the country.[80] Peter Andreas describes the U.S.–Mexico border as the busiest one in the world and as a point of contact between paradoxical conditions as the poor and the rich, and as law enforcement and law evasion.[81] He emphasizes the construction of a borderless economy, and simultaneously, a barricade border, and describes the game between law enforcement agencies, policy makers, and organized crime consisting of a reinforced cycle of measures and countermeasures. Andreas identifies the unintended consequences of different measures implemented to reduce drug trafficking and illegal immigration, the new functions of borders, and the policy approaches implemented to control them using as case studies the U.S.–Mexico border and a comparative of the Germany–Poland and Spain–Morocco borders. He mentions the actors and roles in the legal and illegal flows from Colombia to Canada, but misses the participation of Central America and the southern border of Mexico in defining and controlling those flows.

The economic and social relations between Mexico and the United States, U.S. security policies since 9/11, illegal immigration, and drug trafficking have made the

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[78] Marenin, "Democratic Oversight and Border Management," 5.

[79] Daniel Villafuerte Solís, "The Southern Border of Mexico in the Age of Globalization," in *Borderlands; Comparing Border Security in North America and Europe*, ed. Emmanuel Brunet-Jailly (Ottawa, Canada: University of Ottawa Press, 2007), 323, 6.

[80] Robert D. Kaplan, "The Border is Vanishing as Mexico Pushes North," *Newsweek*, September 11, 2012, http://www.newsweek.com/border-vanishing-mexico-pushes-north-64645.

[81] Peter Andreas, *Border Games: Policing the U.S. Mexico Divide* (New York: Cornell University Press, 2009), xiv.

U.S.–Mexico border a widely studied area. In contrast, knowledge about the southern border of Mexico is quite limited.[82] The contradiction is that both borders are interconnected, and unsecure conditions and illegal flows crossing the south have repercussions in the north. Paul Ganster and David E. Lorey make a historical analysis of the U.S.–Mexico border, and identify the social, economic, political, and security factors that have shaped that border over time and the challenges for the 21st century.[83] Imtiaz Hussain uses the description of the U.S.–Mexico border presented by Ganster and Lorey, international relations theory, and the Michael C. LeMay's analytical clusters to compare northern and southern Mexican borders and to describe their evolution. He explains that results to regulate immigration in the United States and Mexico have been limited because both countries use unilateral and state-centric policies to manage their respective southern borders, despite the transformation of Mexico from being just an emigration country to a platform for Central American migration to the United States. Hussain concludes that unilateral and state-centric migration policies "have simply not worked," and he proposes a "supranational migration cure"[84] to regulate migration based on an assessment of immigration policy clusters, the development of multilateral agreements, and governance.[85] The United States and other destination countries of immigration are reluctant to grant binding powers to international institutions or to create a global regime to regulate immigration. Therefore, Hussain's neoliberal approach to controlling illegal immigration is honest but challenging.

The two priorities for the security and management of the Mexican borders are migration and organized crime;[86] however, no consensus exists about the best strategy to face these challenges.[87] Jorge L. Hidalgo Castellanos argues that all three levels of

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[82] Liedo Fernández, "Diagnóstico Frontera Sur," 28–33.

[83] Ganster and Lorey, The US-Mexican Border, xvi–xxi.

[84] Imtiaz Hussain, "Two Mexicos or Beyond Mexico? Comparative Cross-Border Governance," in Border Governance and the "Unruly" South, ed. Imtiaz Hussain (New York: Palgrave MacMillan, 2013), 168.

[85] Ibid., 185.

[86] Manaut, "Migración y Seguridad," 179.

[87] Armijo-Canto, "Frontera Sur de México," 22.

government, the private and academic sectors, civil society, NGOs, and neighboring countries must participate in the diagnostic and implementation of programs for the comprehensive development of the border areas.[88] He mentions that mechanisms already exist for the management of the border, but they are not integrated.[89] Hidalgo Castellanos identifies the lack of a comprehensive risk assessment of the southern border of Mexico and the uncoordinated application of related strategies and policies. Likewise, Luis Herrera-Lasso explains that the policy of Mexico for the control of borders and the related laws are indeed restrictive but not applied. To follow the law is more a personal decision because in relation to a few formal border crossings, much more informal ones exist for vehicles and pedestrians. Existing laws with no authority to enforce them has generated an environment ideal for corruption and human rights violations that fill the pockets of authorities and gangs equally.[90] Castellanos and Herrera-Lasso's arguments offer an overview of state's failure to regulate illegal immigration; however, they do not explain the relation between government's strategies and programs with deficiencies in border management.

C.   POTENTIAL EXPLANATIONS AND HYPOTHESES

This thesis begins with the following conundrum. The Mexican government has designed and implemented strategies, plans, and programs to manage its southern border and to regulate illegal immigration, but a gap exists between the government's efforts and results. The establishments of plans and programs to secure the border, including its militarization, has not prevented drug trafficking and illegal immigration through the border. It is estimated that 90% of drugs entering the United States pass through Mexico.[91] Furthermore, the Central American immigrant population in the United States

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[88] Castellanos, "La Frontera Sur de México," 2.

[89] Ibid., 5.

[90] Marco A. Alcazar and Luis Herrera-Lasso M., "México y América Central: Una Perspectiva Estratégica e Integral de Seguridad," *Análisis Político* (February, 2013): 28, http://library.fes.de/pdf-files/bueros/mexiko/10017.pdf.

[91] United Nations Office of Drugs and Crime, "Mexico, Central America and the Caribbean," accessed February 14, 2014, https://www.unodc.org/unodc/en/drug-trafficking/mexico-central-america-and-the-caribbean.html.

has continued growing. In 2011, 14% of the 11.5 million illegal immigrants residing in the United States were from Guatemala, El Salvador, and Honduras.[92] Likewise, the U.S. Customs and Border Protection reported an increment of 629% of unaccompanied alien children apprehensions from 2009 to 2013.[93] In contrast, the number of immigrants from Central America retained and deported from Mexico declined gradually during the period 2005–2010, with a cumulative reduction of 72%, as the events decreased from 223,000 to 64,000,[94] and then raised again since 2011. Moreover, the southern border of Mexico has more than 350 illegal points of entry (POE) in comparison with 10 legal POE.[95]

The construction of hypotheses to answer the research question requires the recognition that a complete control of borders and the total suppression of illegal immigration are possible only under exceptional circumstances and through anti-democratic means. Therefore, hypotheses proposed are not seeking to explain why Mexico has not been able to achieve a complete operational control of its southern border or to determine which policy is more convenient to regulate illegal immigration; instead, they are oriented to explaining the gaps between government policies and outcomes, how those policies have changed, the factors that produced that change, and which results were obtained.

The first step to regulating illegal immigration along the borders is the identification of threats and challenges, and from that diagnostic, define objectives and originate related policies. The second step is executing those policies, assigning resources, designating responsibilities, and implementing coordination channels. Finally, governments implement processes of coordination, oversight, and accountability as

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[92] Michael Hoefer, Nancy Rytina, and Bryan Baker, "Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2011," *Office of Immigration Statistics*, 4, March 2012, http://www.dhs.gov/xlibrary/assets/statistics/publications/ois_ill_pe_2011.pdf.

[93] "Southern Border Unaccompanied Alien Children," U.S. Customs and Border Protection, accessed June 13, 2014, http://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children.

[94] Ernesto Rodríguez Chávez, Salvador Berumen Sandoval, and Luis F. Ramos Martínez, "Migración Centroamericana de Tránsito Irregular por México: Estimaciones y Características Generales," Centro de Estudios Migratorios del Instituto Nacional de Migración, July 2011, http://www.oxfammexico.org/wp-content/uploads/2013/06/APUNTES_N1_Jul2011.pdf.

[95] Sección Mexicana de la Comisión Internacional de Límites y Aguas (CILA), "Inventario de los Cruces Fronterizos Vehiculares Informales existentes en la Línea Divisoria Internacional Terrestre entre México y Guatemala," June 2012.

feedback for further improvements. Hypotheses to explain the gap between policies and results regulating illegal immigration on the southern border of Mexico are related to these stages, and they can be categorized in two groups, deficiencies in the policy-making process and inefficiencies in their implementation.

Deficiencies related to the policy-making process are related to the following causes: absence of policies, poorly defined or nonexistent objectives, a lack of a legal framework, policies developed without an integrated approach, and those driven by internal and external pressures. From the combination of these deficiencies, two scenarios emerge. First, the "turn a blind eye state" that comprises a situation in which the state pretends not to see illegal immigration problems or unsecured borders. Second, the "laundry state" that encompasses a country dedicated to doing the dirty work of others with policies oriented to deter people's mobility and criminalize migrants instead of attending to national needs and obligations. Moreover, I argue that well-designed plans and programs can be inefficiently implemented because of corruption, lack of coordination among government levels and agencies, incoherence between objectives and resources, insufficient evaluation tools, absence of infrastructure and technology, and discontinuity of authorities.

D.   RESEARCH DESIGN

This thesis consists of three principal components: Central American illegal immigration, the southern border of Mexico, and plans and programs to regulate migration. Illegal immigration is a transnational phenomenon that exploits borders and is defined in part by border controls and policies. An independent assessment of each component is useless because they are interrelated and self-reinforcing. Therefore, a systemic approach is required to identify the encompassing whole, the evaluation of the complex interrelations and processes among its constituent parts, and the explanation of the behavior and properties of the complete system.

A case study is used because this thesis is focused on explaining why the Mexican government's strategies, plans, and programs have failed to regulate illegal immigration on the southern border of Mexico. It allows an in-depth investigation of the problem and

the identification of social, economic, security, and political factors related to the phenomenon of interest. The case study is conducted primarily through a documentary research and second data analysis. Documents included are academic books and journals, government reports, newspaper articles, NGOs' reports, and books on Central American immigration, the southern border of Mexico, and border management models and efficiency measures. The second data sources used are statistics from the U.S. Customs and Border Protection, the Mexican National Migration Institute, General Directorates of Migration in Central America, NGOs, and international organizations, such as the United Nations, the World Bank, and the International Organization for Migration. This information includes statistics about immigration in all its phases, organized related violence, human rights violations, and border management resources.

The case study covers the period from 2000 to present; therefore, a longitudinal analysis is used considering the current and two previous Mexican government administrations. It includes the Vicente Fox administration from 2000–2006, the Felipe Calderón administration from 2006–2012, and the current administration of Enrique Peña-Nieto.

E.   THESIS OVERVIEW

The thesis starts with most dynamic and least controllable component: the description of prevalent illegal immigration trends from the Central American Northern Triangle to the United States through Mexico. This first chapter includes the characterization of migration through the identification of its causes, statistics of immigration in all its facets, and particularities of Guatemala, Honduras, and El Salvador as countries of emigration. An assessment of the social, political, security, and economic conditions of the southern border of Mexico follows. The second chapter includes a description of the historical evolution of the border, the principal characteristics and components of the border, infrastructure and resources for immigration control, the routes followed by immigrants, actors involved in shaping immigration trends, and the hardships immigrants suffer on their journey through Mexico.

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Chapter IV presents an analysis of Mexico's strategies, plans, and programs executed since 2000 to regulate illegal immigration. The Fox, Calderón, and Peña Nieto administrations are included in the assessment considering the context, internal and external factors that shaped immigration and border control policies, national development plans, resources assigned, border management plans and programs, immigration control objectives, effectiveness parameters, and international agreements. The assessment of those mechanisms will help to identify three gaps. The first is a discursive gap consisting of the difference between political discourse and plans and programs implemented. The second is the operational gap that differentiates between plans and programs and their implementation. Finally, the efficiency gap describes the impact that those plans and programs have to regulate illegal immigration. Finally, conclusions are presented related to the complexity of systems and methods used to manage the southern border of Mexico, the factors that motivate illegal immigration, the points of intervention defined by three different Mexican governments to regulate migration, and the results and second–order consequences of the policies implemented.

II. CENTRAL AMERICAN ILLEGAL IMMIGRATION IN TRANSIT THROUGH MEXICO

The purpose of this chapter is to describe the condition of Mexico as a transit country for migration, and the causes and trends of illegal immigration from Central America to the United States. These issues are relevant to understand the gap between plans and policies to regulate illegal immigration on the southern border of Mexico and its outcomes because they must guide the development of migration policies, the definition of points of intervention, and the assessment of their results. This chapter starts with the description of Mexico as a transit country and the historical development of Central American migration. Subsequently, the causes and trends of illegal immigration from Central America are explained, with emphasis on economic, security, social, and political factors. Then, specifications about migration from the countries of the Central American Northern Triangle are described. And finally, conclusions are presented.

Mexico is a country of immigration, emigration, and transit. This multifaceted character is a product of its geopolitical condition as neighbor and commercial partner of the United States. Mexico stands between the developing and the developed worlds, connecting and simultaneously distancing the United States from Latin America. Illegal immigrants from Central and South America, and even from East Europe and Asia, attempt to reach the United States through Mexico,[96] using the same routes and services as Mexican migrants. Furthermore, some migrants from Central America stay in Mexico, strengthening the commercial, cultural, and social ties between these regions, inspiring many to describe the control of the southern border of Mexico as an unnecessary formality.[97]

Central American illegal immigration is a product of different internal and external factors, and it has evolved according to conditions in origin, transit, and

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[96] Ann Kimbal, "The Transit State: A Comparative Analysis of Mexican and Moroccan Immigration Policies," The Center of Comparative Immigration Studies, working paper no. 150 (June 2007): 42.

[97] Laura V. Gonzalez-Murphy, "Tackling Southern Turbulence: Mexico's Immigration Problems and Multi-centric Response," in *Border Governance and the "Unruly" South*, ed. Imtiaz Hussain (New York: Palgrave MacMillan, 2013), 144.

destination countries. Internal pulling factors are the availability of employment, economic development, and social ties; likewise, internal pushing factors include high levels of violence, inequality, poverty, and natural disasters. External factors are related to the economic gap between origin and destination countries, immigration legislation, border controls, risks and threats for migration flows, and social networks.[98] Any policy to regulate illegal immigration has to be oriented to solve these internal and external factors motivating migration.

A.   MEXICO AS A TRANSIT COUNTRY

Although Mexico is mainly identified as an emigration country, over the past decade it has experienced a dramatic escalation in transit migration and a considerable growth in legal and illegal immigration. Ann Kimbal introduces the concept of the transit state to explain how policies and plans are implemented to regulate transit migration.[99] She explains that Mexico is a transit state because it borders a fully developed country, exhibits high emigration and moderate immigration, serves as a platform for migrants to enter the U.S., implements restrictive immigration policies, and acts as a gatekeeper for the United States.[100]

Given its nature, the accurate tracking of the number of illegal immigrants crossing through Mexico is challenging. Estimations range from 150,000 according to official reports, up to 500,000 according to NGOs.[101] Three statistics demonstrate the multifaceted character of Mexico as an immigration and transit country. The first is the number of legal foreign residents and workers. Despite the low figure of immigrants residing in Mexico compared to the 42.8 million residing in the U.S., in the last decade they more than doubled to an actual level of 961,000 people, representing 0.9 percent of

[98] International Migration in the Americas: Second Report of the Continuous Reporting System in International Migration in the Americas (SICREMI), (Washington, D.C.: Organization of American States, 2012), 176, 7.

[99] Kimbal, "The Transit State," 1.

[100] Ibid., 12, 5.

[101] Raúl Bringas Nostti, "Los Extranjeros en México y la Inseguridad: Estrategias Consulares y Cotidianas para Sortear los Riesgos," in Migraciones Centroamericanas: Realidades, Tendencias y Desafíos, coord. Casimiro L. Tomás and José C. Navarro Chávez (Universidad Michoacana de San Nicolas de Hidalgo, May 2013), 88.

the total population of the country in 2010.[102] Furthermore, Central American border residents have an old tradition of entering Mexico for commercial, economic, and social purposes. Mexico is increasingly relying on Guatemalan workers for its seasonal agriculture, with permits for approximately 40,000 Guatemalan temporary workers per year.[103] In addition to agribusinesses, Central Americans work in the construction industry, in services such as domestic household workers, in informal activities including children selling candy on the streets, workers in the municipal trash dump, and in prostitution. Guatemalans and Belizeans are also able to enter Mexico as border residents, which allow them to stay within 100 kilometers north of the border in the states of Chiapas, Quintana Roo, Tabasco, and Campeche without a tourist visa.[104] This formal and informal flows spoiled by the Mexican government characterize the migration policy that has persisted over different administration, consisting on opening the borders for regional movement and closing it for transit migrants.

The second form to measure transit migration flows is the number of apprehensions and deportations of illegal immigrants in Mexican territory. Apprehensions increased between 1999 and 2005 to a maximum of 240,269, but then started to decline in 2007 and leveled off between 2009 and 2011 with 66,583 apprehensions and 61,034 deportations.[105] In 2012, the number of apprehensions reached 70,866;[106] in 2013 this number increased again to 86,298, and data from the first four months of 2014 indicates an approximate 9 percent jump in deportations,[107] indicating an upward trend in the last years (Figure 1).

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[102] Papademetriou, Meissner, and Sohnen, "Migration and Human Capital," 33, 4.

[103] Ibid.

[104] Adam Isacson, Mau*reen Meyer, and Gabriela Morales, Mexico's Other Border: Security, Migration, and the Humanitarian Crisis at the line with Central America* (Washington Office on Latin America, August 2014), 12.

[105] Francisco Alba, "Mexico: The New Migration Narrative," Migration Policy Institute (April 24, 2013), accessed September 10, 2014, http://www.migrationpolicy.org/article/mexico-new-migration-narrative.

[106] Gabriela Martínez Caballero, *Estadística Migratoria: Síntesis 2013* (México, D.F.: Centro de Estudios Migratorios, Secretaría de Gobernación, 2012), 29.

[107] Isacson, Meyer, and Morales, Mexico's Other Border, 4.
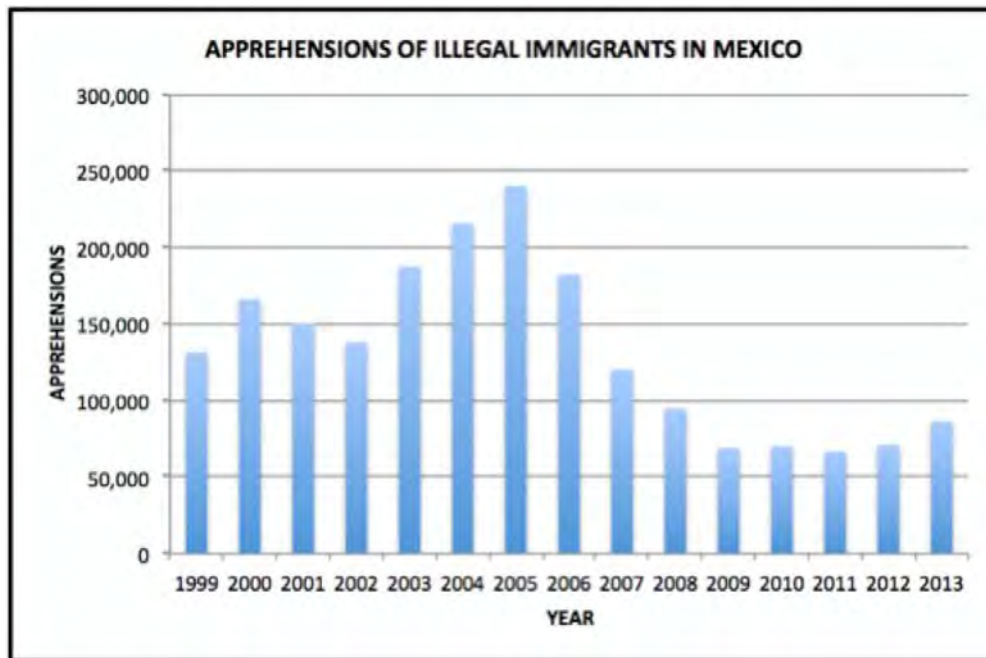
Figure 1.   Apprehension of Illegal Immigrants in Mexico from 1999 to 2013.

The distribution of apprehensions by country of origin illustrates the overwhelming majority of illegal immigrants coming from the Central American Northern Triangle. For example, from the apprehensions in 2012, 45.3 percent were from Guatemala, 32.6 percent from Honduras, 14 percent from El Salvador, and 8.1 percent among all other countries.[108] The data from 2013 indicates a change of distribution, with 40.4 percent of illegal immigrants apprehended from Honduras, 35.5 percent from Guatemala, and 16.9 from El Salvador (Figure 2). More recently, during the first three months of 2014, Mexico carried out 18,696 deportations of which 2,851 were of individuals below 18 years of age.[109] The increase of apprehensions in Mexico does not necessarily mean that Central American illegal immigrants are not succeeding in crossing the country and reaching the U.S. Depending on the country of origin, Central Americans use different routes to enter and transit through Mexico, and they have dissimilar levels of social networks and migration experience that could help to explain the variation of the nationality of apprehended. Furthermore, regional migration policies as temporary-

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[108] Alba, "Mexico: The New Migration Narrative."

[109] Isacson, Meyer, and Morales, Mexico's Other Border, 16.

worker programs implemented in Mexico benefit Guatemalans and Belizeans, releasing some pressure from their need to migrate north; however, Hondurans are excluded from those programs.
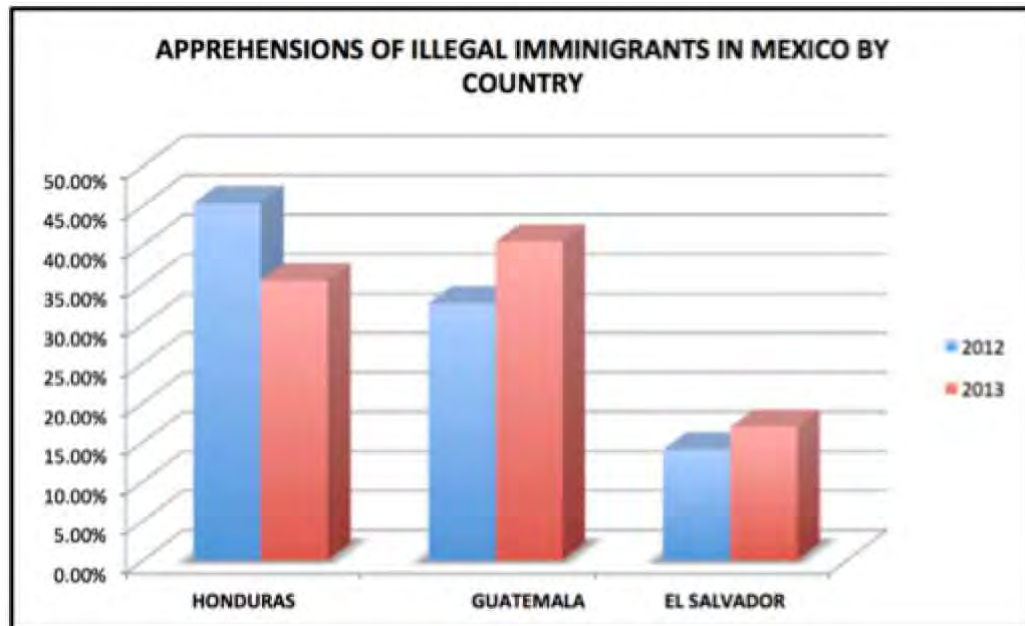
Figure 2.   Comparative of Illegal Immigrants Apprehended in Mexico from the Central American Northern Triangle.

The third way of measuring transit migration is through the number of apprehensions of those other than Mexicans on the U.S.–Mexico border. Approximately 40 percent of all Central American migrants in the U.S. are from El Salvador, followed by 27 percent from Guatemala, and 16.1 percent from Honduras (Figure 3). These countries have emigration rates between 9 and 16 percent. Moreover, it is estimated that more than 40 percent of the Central American population in the United States lack legal status and another 10 percent reside under Temporary Protection Status (TPS).[110]

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[110] Ninna Nyberg Sorensen, "Central American Migration, Remittances and Transnational Development," in *Handbook of Central American Governance* (New York: Routledge, 2014), 47.
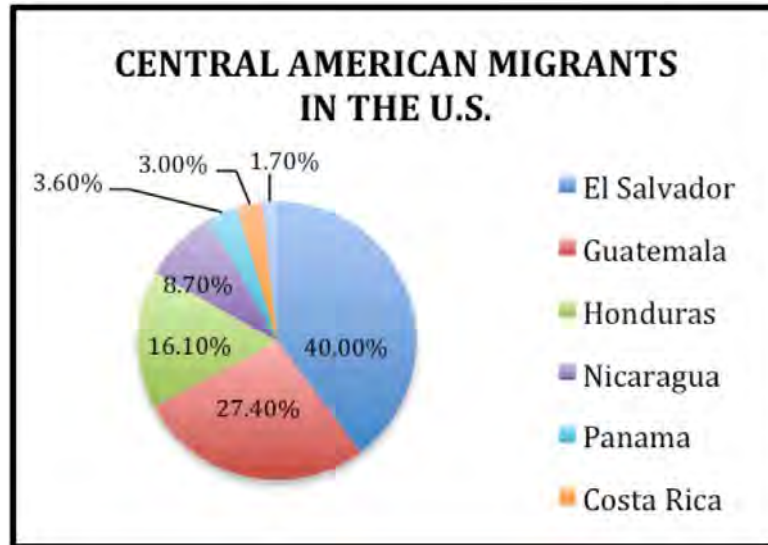
Figure 3.   Migrants from Central America Residing in the United States.

Between 2000 and 2010, Central American immigrants were the fastest-growing group in the United States, jumping from 2 to 3.1 million with a growth rate of 51 percent, even ahead of Mexican migrants (28 percent). The number of "other than Mexican" (OTM) migrant apprehensions has nearly tripled in two years—54,098 in 2011—and this number reached 153,055 in 2013. For the first time, more than a third of migrants whom the U.S. Border Patrol apprehended were not Mexican, and the overwhelming majority was from El Salvador, Guatemala, and Honduras. This upward trend has been more evident during 2014 in which the Border Patrol has already apprehended 202,951 OTM migrants, exceeding the full-year total for 2013.[111] Furthermore, in fiscal year 2014, an estimated 77,200 children are expected to be apprehended at the U.S.–Mexico border, including 59,000 children from Central America.[112] Comparing the number of apprehensions of OTM in the United States-Mexico border and of Central Americans on the southern border of Mexico, there is a difference of 66,757 illegal immigrants that transited Mexico, giving indication of the failure of the government to regulate migration flows.

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[111] Isacson, Meyer, and Morales, Mexico's Other Border, 3.

[112] Dara Lind, "14 Facts that Help Explain America's Child-Migrant Crisis," last modified July 29, 2014, http://www.vox.com/2014/6/16/5813406/explain-child-migrant-crisis-central-america-unaccompanied-children-immigrants-daca.

B. HISTORICAL DEVELOPMENT OF CENTRAL AMERICAN MIGRATION

During the 1960s, Mexico's migration policy was based on the protection of the labor market for the domestic workforce, allowing the entrance of migrants who could prove economic solvency.[113] The growth of coffee plantations and other economic activities in the 1960s and 1970s demanded a large workforce, especially at harvest season, generating an extended labor market that was fulfilled by Central American temporary workers and illegal immigrants.[114] Until the 1970s, internal or regional movements of a temporal character and economic purpose defined Central American migration; however, civil wars, ethnic cleansing, and political violence from 1974 to 1996 changed those patterns, producing internal displacements and forced migration.[115]

The first Central Americans to arrive in Mexico were the Nicaraguans, who headed to the U.S. in the 1970s, escaping the Somoza dictatorship and the Sandinista War. The next and more challenging group of Central Americans seeking refuge in Mexico began to arrive in 1981, composed of large numbers of Guatemalan peasants escaping from state-led massacres. The arrival of Spanish Republicans, Irish, Argentines, Turkish Jews, Eastern Europeans, Lebanese, and Cubans seeking refuge during the twentieth century had provided Mexico with the experience to deal with this type of humanitarian crises; however, the number and socio-economic conditions of Guatemalan refugees had no precedent.[116] According to the United Nations High Commissioner for Refugees (UNHCR), about 200,000 Guatemalans arrived in Mexico during the 1980s, but only 46,000 were officially registered and assisted by UNHCR.[117] After peace was restored in the 1990s, many of them returned to their country, although around 20,000 remained in Mexico as legal residents.[118] The next migrants were Salvadorans, who

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[113] Kimbal, "The Transit State," 59.

[114] Villafuerte, "Mexico in the Age of Globalization," 335.

[115] Nyberg, "Remittances and Transnational Development," 46, 7.

[116] Kimbal, "The Transit State," 58, 61.

[117] Manuel A. Castillo, "Mexico: Caught Between the United States and Central America," Migration Policy Institute (April 1, 2006), accessed September 14, 2014, http://www.migrationpolicy.org/article/mexico-caught-between-united-states-and-central-america.

[118] International Migration in the Americas, 177.

escaped their country from the civil war between state forces and the Frente Farabundo Martí para la Liberación Nacional (FMLN). The presence of Central American refugees in Mexico had some unintended consequences, including the militarization of the border, the participation of civil society to protect and provide services to immigrants, the surge of professional smugglers, and the establishment of social networks and routes of future illegal migration.[119]

After the signing of the peace accords, the economic and social relations across borders between Mexico and Central America were resumed and intensified. Mexico instituted a series of programs to facilitate the movement and economic participation of border communities, such as border resident permits (Forma Migratoria de Visitante Local, FMVL), visas for agricultural workers (Forma Migratoria de Visitante Agrícola, FMVA), and general laborer visas (Forma Migratoria de Trabajador Fronterizo, FMTF).[120] However, most Central American countries faced poor economic conditions and recurrent social and political instability. In consequence, Central American migration evolved in character and dimension, from regional displacement to massive transnational flows, using the networks and knowledge obtained during the refugee era in Mexico to reach the U.S.[121]

In addition to economic stagnation and the crisis in international coffee prices,[122] other factors complicated the conditions for livelihood in Central America. For instance, recurrent natural disasters—hurricanes, tropical storms, and earthquakes—uprooted thousands of people in the region.[123] Furthermore, high homicide rates increased the number of illegal immigrants seeking entry into Mexico and the United States.[124]

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[119] Kimbal, "The Transit State," 64.

[120] Francisco Alba and Manuel A. Castillo, *New Approaches to Migration Management in Mexico and Central America* (Washington, D.C.: Migration Policy Institute, 2012), 4.

[121] Villafuerte, "Mexico in the Age of Globalization," 334.

[122] Panos Varangis et al., "Dealing with the Coffee Crisis in Central America: Impacts and Strategies" (Policy Research Working Paper 2993, The World Bank, March, 2003), 6.

[123] Susanne Jonas, "Guatemalan Migration in Times of Civil War and Post-War Challenges," Migration Policy Institute (March 27, 2013), accessed September 12, 2014, http://migrationpolicy.org/article/guatemalan-migration-times-civil-war-and-post-war-challenges.

[124] George W. Grayson, "Mexico's Southern Flank: The Third U.S. Border," Orbis 50, no. 1 (2006): 56.

C.   CAUSES OF CENTRAL AMERICAN ILLEGAL IMMIGRATION

Central American illegal immigration originates mainly from the Northern Triangle countries of El Salvador, Guatemala, and Honduras.[125] Even though these countries have some structural differences, the regional cooperation represented by free trade agreements, the Central American Regional Security Initiative (CARSI), and the Central America-4 (CA-4) Agreement allows the identification of common regional causes for illegal immigration. Citizens from El Salvador, Guatemala, Honduras, and Nicaragua enjoy free movement among these four countries without a passport; furthermore, the borders between these countries are basically uncontrolled, allowing the illegal crossings of goods and people at will.[126]

Various factors can be used to describe the trends of Central American illegal migration to the U.S. and Mexico. These factors are organized in four groups: economic issues, insecurity and organized crime, social networks, and the state. No single group can comprehensively explain the causes of illegal immigration because this phenomenon is a mixture between demand, necessity, and opportunity. The combination of the U.S. labor market's demand, drug trafficking and gang violence, weak governments and institutions, inequality, poverty, previous migration experience, natural disasters, and the state's campaign of exalting illegal immigrants as heroes makes illegal immigration a complex and flexible system. Finally, for many Central Americans, migration is perceived not as an alternative, but as the only way to survive.[127] The assessment of these factors must be the base for the design and implementation of plans and programs to regulate illegal immigration. Furthermore, it helps to recognize that not all migration flows are equal, and they have to be regulated comprehensively according to their causes and consequences.

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[125] Villafuerte, "Mexico in the Age of Globalization," 337.

[126] Papademetriou, Meissner, and Sohnen, "Migration and Human Capital," 39, 40.

[127] Ibid., 2.

1. Economic Factors

The economic factors shaping illegal immigration relate to the neoliberal economic model being implemented in Central America and a series of pushing and pulling factors. First and foremost, the economic liberalization of Central America has produced a marginal growth of the economy, and the benefits have been concentrated in a small group of people (Figure 4). The traditional core of the Central American economy was agriculture, and the neoliberal economic model allowed the monopolization of this sector by a minority elite, reducing the amount of land available for rural families and curtailing their traditional means for survival.[128] Since the mid-2000s, assembly manufacturing has replaced agro-exports as the chief engine of the Central American economies,[129] benefiting only urban populations and motivating rural to urban migration.
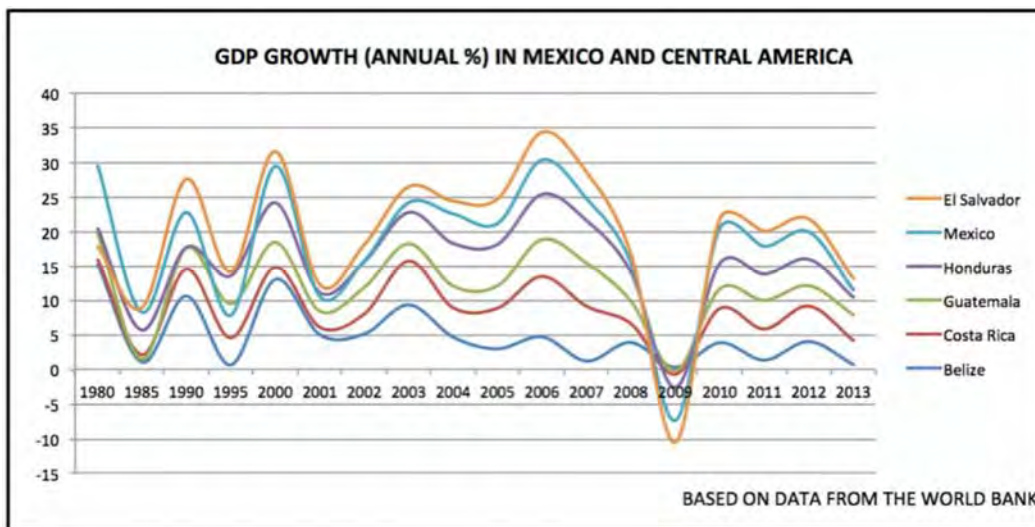
Figure 4.   Gross Domestic Product (GDP) in Mexico and Central America.

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[128] Salvador Martí i Puig and Diego Sánchez-Ancochea, "Introduction: Central America's Triple Transition and the Persistent Power of the Elite," in *Handbook of Central American Governance* (New York: Routledge, 2014), 6.

[129] Aaron Schneider, "The Great Transformation in Central America: Transnational Accumulation and the Evolution of Capital," in *Handbook of Central American Governance* (New York: Routledge, 2014), 30.

Economic pushing factors include low wages, insufficient formal-sector employment, and inadequate access to credit.[130] The World Bank estimates that 34.5 percent of the El Salvador population, 53.7 percent in Guatemala, and 64.5 percent in Honduras, live below the poverty line.[131] Furthermore, Honduras and Guatemala remain among the most unequal countries in the world (Figure 5).[132] Pulling factors are related to the economic gap between Central America and the destination countries. The main pulling factors are the availability of a labor market, economic opportunities for immigrants and their families, and the existence of social safety nets in the United States and Mexico.[133] Finally, a surplus of people in Central America becomes a commodity, selling their labor power according to personal and family evaluations of costs and benefits—between staying and trying to survive or emigrating illegally, with the risks of being deported and harmed while in transit. Measures implemented to improve the economic conditions of origin countries of migration can contribute to reduce the incentives of illegal immigrants to move; however economic migrants are just a component of the system.

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[130] March R. Rosenblum and Kate Brick, "US Immigration Policy and Mexican/Central American Migration Flows: Then and Now," Migration Policy Institute (March 27, 2013): 2, accessed September 15, 2014, http://www.migrationpolicy.org/research/RMSG-us-immigration-policy-mexican-central-american-migration-flows.

[131] "Latin America & Caribbean," The World Bank, accessed September 2, 2014, http://data.worldbank.org/region/LAC.

[132] "Country Comparison: Distribution of Family Income," Central Intelligence Agency, accessed September 25, 2014, https://www.cia.gov/library/publications/the-world-actbook/rankorder/2172rank.html.

[133] Rosenblum and Brick, "Mexican/Central American Migration Flows," 2.
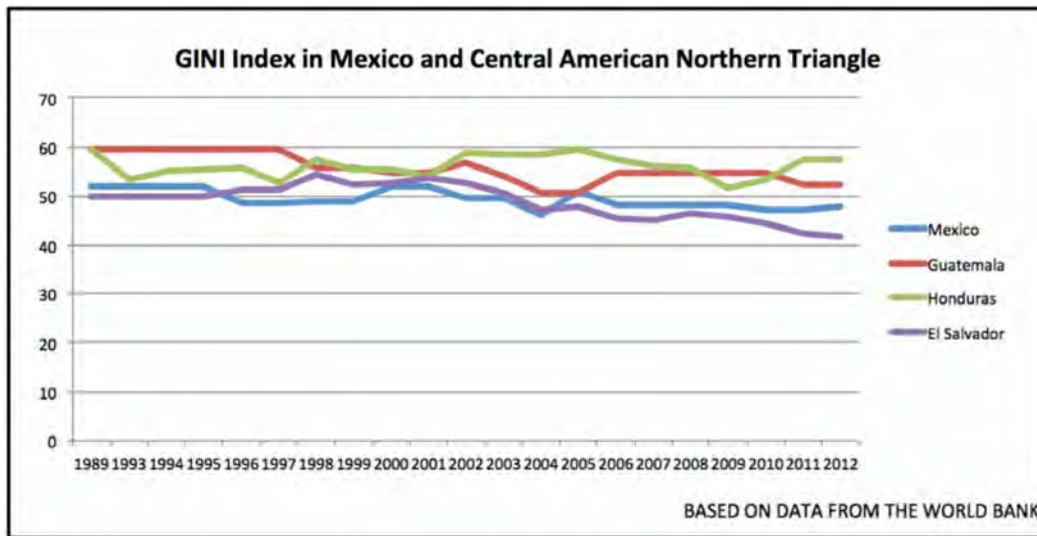
Figure 5. GINI Index in Mexico and Central America.

2. Social Networks

Social networks integrated by family and friends in the countries of origin, transit, and destinations facilitate the movement of illegal immigrants. They provide funds for the journey and to hire the services of professional smugglers; likewise, they provide information about routes, location of migration controls, and the means for transportation. These networks also provide assistance with lodging and other services while in transit, and help migrants in the process of social integration and jobs in the destination countries.[134] Furthermore, with the strengthening of border controls the pattern of circular migration was interrupted, and parents that used to migrate temporarily to the United States were forced to stay permanently in that country, leaving their children behind. Hence, family reunification has become a powerful motivation for illegal immigrants to leave their home countries.

Different factors have contributed in the development of social networks. First were the refugee camps established in Mexico,[135] and the legal and illegal migration to

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[134] Ibid.

[135] Hugo Ángeles Cruz, "Las Migraciones Internacionales en la Frontera Sur de México," in *Los Grandes Problemas de Mexico Migraciones Internacionales*, coord. Francisco Alba, Manuel A. Castillo, and Gustavo Verduzco (México, D.F., El Colegio de México, 2010), 445, 6.

the United States during the Central American civil wars.[136] Second, the regularization programs in Mexico allowed more than 20,000 Central American refugees to became permanent residents.[137] Third were the establishments of temporary-worker programs in Mexico, through which thousands of Guatemalan workers stay in the country every year.[138] Currently, Central Americans are replacing Mexican workers who are emigrating from the southern states of the country to the United States.[139] And finally, the emergence of civil society organizations during the past fifteen years focused on migration issues such as the Migrant's House (La Casa del Migrante) and Without Borders (Sin Fronteras), which provide assistance and safe houses for illegal immigrants.[140]

3.   Insecurity and Organized Crime

Central American states face daunting problems of governability and violence. The region's location between the largest cocaine producers (Colombia, Bolivia, and Peru), the intermediary Mexican drug cartels, and the U.S. drug market makes it a strategic transit route for organized crime and all the collateral effects. The presence of Mexican Transnational Organized Crime Groups (TOCGs) in Central America has created considerable havoc to the already fragile Central American states. The most prominent TOCGs are the Sinaloa Federation and the Zetas. Both organizations control the principal trafficking routes in Mexico, and have pushed their networks and operations into Guatemala, El Salvador, and Honduras.[141] For instance, some estimations indicate that 75 percent of Guatemala is under the control of the Zetas cartel, with the Sinaloa

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[136] Papademetriou, Meissner, and Sohnen, "Migration and Human Capital," 15.

[137] International Migration in the Americas, 177.

[138] Gonzalez-Murphy, "Tackling Southern Turbulence," 145.

[139] Kimbal, "The Transit State," 14.

[140] González-Murphy, *Protecting Immigrant Rights in Mexico*, 71.

[141] Bruce Bagley, "Drug Trafficking And Organized Crime In The Americas: Major Trends In The Twenty-First Century," *Woodrow Wilson Center* (August 2012): 5, accessed July 3, 2014, http://www.wilsoncenter.org/sites/default/files/BB%20Final.pdf.

federation present along Guatemalan borders with Honduras, El Salvador, and Mexico (Figure 6).[142]

Figure 6.   Level of Violence and Presence of Organized Crime Groups in
Central America.

The incursion of Mexican cartels into Central America has altered the balance of power, primarily because of disputes to control territories (plazas) and routes. According to David J. Cantor, the spread of Mexican cartels and their influence over traffic routes and control of territories produced a harmful effect in their interaction with society.[143] A 2011 report from the World Bank affirms that drug trafficking is the "main single factor behind rising violence levels in the region."[144] The report presents statistics about the high crime rates in hotspot drug trafficking areas. For example, in Guatemala, homicide rates are highest around the capital and in the El Petén region, two areas under the Mexican cartels' influence. In the case of Honduras, homicide rates are highest along the

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[142] Chiviz Martinez, "The Changing Mexican Drug War Brings New Challenges," Borderland Beat: Reporting in the Mexican Cartel Drug War (December 23, 2012), accessed February 20, 2014, http://www.borderlandbeat.com/2012/12/the-changing-mexican-drug-war-brings_23.html.

[143] David J. Cantor, "The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico," *Refugee Service Quarterly* (Oxford Journals, 2014): 10.

[144] Sustainable Development Department and Poverty Reduction and Economic Management Unit, "Crime and Violence in Central America: A Development Challenge," World Bank Latin America and the Caribbean Region (2011): ii.

Atlantic coast and the Guatemalan border, which are important routes for drug trafficking.[145]

The presence of Mexican cartels has exacerbated the violence in Central America,[146] but another factor that worsened the situation was the deportation of criminals from the U.S. to Central America. Between 2001 and 2010, more than 130,000 people with criminal backgrounds were deported.[147] The gangs pose a serious danger to the governments in the region due to their size, violent practices, and territorial nature.[148] The combination of Mexican TOCGs and local gangs is part of the reason El Salvador, Guatemala, and Honduras have three of the five highest homicide rates in the world.[149] Furthermore, since 2000, Guatemala has had one of the world's highest femicide rates, with more than 6,500 reported cases between 2000 and 2011,[150] of which the majority of victims were young women under the age of 25.

The Central American gangs are better known as Maras, a term including the 18th Street gang or Barrio-18 and their chief rivals, the Mara Salvatrucha (MS-13). No well-defined profile of current Mara's members exists because gangs have changed over time. However, gang members or "Mareros" can be identified as young with an average entry age between 11 and 15 years,[151] a culture of violence over seeking prestige, unconditional loyalty to the group,[152] and a strong attachment to their territory and to

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[145] World Bank, "Crime and Violence in Central America," 3.

[146] "Guatemala prison riot prompts drugs rethink," *BBC News*, last updated March 12, 2013, http://www.bbc.co.uk/news/world-latin-america-21504131.

[147] Juan C. Garzón, et al., "The Criminal Diaspora: The Spread of Transnational Organized Crime and How to Contain its Expansion," ed. Juan C. Garzón and Eric L. Olson (Wilson Center, 2013): 5, ISBN: 978–1-938027-23-9, http://www.wilsoncenter.org/sites/default/files/ CRIMINAL_DIASPORA%20(Eng%20Summary)_0.pdf

[148] Douglas Farah and Pamela Phillips Lum, "Central American Gangs and Transnational Criminal Organizations: The Changing Relationships in a Time of Turmoil," *International Assessment and Strategy Center* (February, 2013): 5. http://www.strategycenter.net/docLib/20130224_CenAmGangsandTCOs.pdf.

[149] Ibid.

[150] Jonas, "Guatemalan Migration in Times of Civil War."

[151] Elin C. Ranum, "Street Gangs of Guatemala," in *Maras: Gang Violence and Security in Central America* (Austin: University of Texas Press, 2011), 78.

[152] Sonja Wolf, "Street Gangs of El Salvador," in *Maras: Gang Violence and Security in Central America* (Austin: University of Texas Press, 2011), 44, 54.

local affairs.[153] These gangs developed from a combination of factors including armed conflicts, poverty, the U.S. deportation policy, social constraints, family fractures, and inadequate government response to control them.[154] Operations like "Mano Dura" and "Operación Escoba" sent hundreds of gangs to prison, where they strengthened their relations and recruited new members.[155] The availability of weapons from past civil wars and the ones provided by drug cartels increased Maras' capabilities for violence.[156] In 2007, an estimated 4.5 million firearms were in circulation in the region, the large majority of which were illegal.[157]

Maras' illegal activities include kidnapping, human and drug trafficking, robberies, public disorder, rapes, weapons smuggling, homicides, and extortions.[158] They operate mainly in urban and sub-urban areas, exercising exclusive control over their territories.[159] Extortions constitute the Maras' principal source of revenue. They charge shopkeepers, prostitutes, students, public transport operators, and businessmen for the use of their territory. Furthermore, the gangs' violent practices have expanded to prevent treason, for revenge, to increase their reputation, intimidate adversaries and authorities, force adolescents to join the group, and rape women.[160] Statistics show that at least 15 percent of all homicides in Central America are related to gangs.[161] Males between 15 and 34 years account about 60 percent of all homicide victims, coinciding with the profile of the majority of illegal immigrants.

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[153] United Nations Office on Crimes and Drugs, "Transnational Organized Crime in Central America and the Caribbean" (Vienna: UNODC, 2012): 27.

[154] Lainie Reisman, "Breaking the Vicious Cycle: Responding to Central American Youth Violence," *SAIS Review of International Affairs* 26, no. 2 (Summer–Fall 2006): 149.

[155] Clare R. Seelke, "Gangs in Central America," *Congressional Research Service* RL34112 (February 2014): 7.

[156] Reisman, "Breaking the Vicious Cycle," 150, 1.

[157] Otto Argueta, "Drug-Trafficking and Governance in Central America," in Handbook of Central American Governance (New York: Routledge, 2014), 200.

[158] Seelke, "Gangs in Central America," 4.

[159] Cantor, "Forced Displacement Caused by Organized Crime," 7.

[160] Sonja Wolf, "Mara Salvatrucha: The Most Dangerous Street Gang in the Americas?" University of Miami (2012): 78.

[161] Sustainable Development Department, "Crime and Violence in Central America," ii.

Organized crime and illegal immigration interact in at least three forms. First, organized crime violence produces forced migration, working as a pushing factor. Second, networks of traffickers and smugglers facilitate the movement of illegal immigrants providing services from source to destination. Third, the harassment of organized crime and gangs along routes works as an inhibitor for migration. In Mexico and Central America, Maras and Mexican cartels contribute to shaping legal and illegal migration in these three forms.[162]

The Maras are promoters, facilitators, and inhibitors of migration. They have a smuggling structure to move people within Central America and to the U.S. This network has been useful for funding the Maras and to move their own people to the United States.[163] Maras have presence on the southern border of Mexico and control part of the railroad route departing from Chiapas to the U.S.–Mexico border. They have an agreement with the Zetas cartel to operate in this part of the route.[164] Basically, Maras charge a fee for the use of the train and for protection.[165] However, the harassment of the Maras starts in Central American communities.

The Maras' daily activities that produce internal displacement and forced migration are betrayal or enmity, resistance, land appropriation, and insecurity.[166] Betrayal can take different forms; first, to cooperate with government authorities and to denounce the gang as either victim or witness; and second, collaboration with rival criminal organizations. In either case, the punishment for betrayal is, usually, a death sentence for the person implicated and sometimes for other members of his or her family. Resistance consists of the refusal to pay taxes, either as a war tax or a rent. Those fees are justified as a payment for protection, or for the license to maintain a legal business. Other forms of resistance are the denial of youngsters to join a clika (groups with few dozen members specifically located in each barrio where they enjoy considerable autonomy to

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[162] Cantor, "Forced Displacement Caused by Organized Crime," 5.

[163] Farah and Lum, "Central American Gangs," 12.

[164] Ibid., 10.

[165] UNODC "Transnational Organized Crime in Central America," 50.

[166] Cantor, "Forced Displacement Caused by Organized Crime," 12.

operate), women refusing to attend to a member of the gang, or simply looking scornfully at a Marero. In the case of betrayal and resistance, the purpose of the Maras is not to displace people; in fact, they need the community to survive, but the collateral effect is forced migration. On the contrary, land appropriation has the intention to move people from their properties in the interests of the group. Organized crime groups can offer unfair amounts of money in exchange for properties, but in other cases, these are just taken—with the collaboration of lawyers and authorities with the menace of death, and without paying anything. Preferred properties for appropriation are the ones in strategic zones close to borders and convenient for moving illicit goods, areas rich in natural resources or good for drug production, or houses strategically located to control the barrio or community.[167]

Insecurity and fear are the tools gangs use to control the community. The feeling of insecurity and uncertainty about the future produced by the possible recruitment of a child, the rape of a daughter, the loss of property, or the frustration over crime and violence are enough incentives to move to another place. Depending on the possibilities, families may move to another neighborhood, another city, or even abandon the country.[168] According to Cantor, causes and victims of forced migration are different depending on the type of territory in the Northern Triangle countries. The variables that change are the responsibility for violence, the purpose of that violence, and the groups involved. These regions are poorer urban and sub-urban areas like the Maras' core zones, wealthier urban areas as the Maras' extended zones of influence, and rural areas mainly under control of transport networks and drug cartels.[169]

The closest relationship between gangs and population occurs in poor communities or barrios where the Maras reside. These are marginalized areas that Maras consider their property. The presence of the state and the provision of security and services are limited; therefore, people are subjected in great part to the will of the gangs. The highest level of forced migration happens in these areas where people with few

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[167] Cantor, "Forced Displacement Caused by Organized Crime," 15.

[168] Ibid., 16.

[169] Cantor, "Forced Displacement Caused by Organized Crime," 20.

resources move to another urban or sub-urban zone in the same city, or they leave to another part of the country. Jobs, school, belongings, and the fear of being hunted if they leave keep them from moving. For instance, an internal displacement of about 2.1 percent of the population in 2012 was reported in El Salvador, and people sometimes have to move several times.[170]

Usually, the movement of people from one barrio to another just means the switch from the harassment of one clika to another, with just a short-term improvement of their security condition. In their new residency, they still have to pay taxes to gangs and are subjected to violence, sometimes under the worst conditions. The clika in the community can consider the new arrivals as spies from another clika or as deserters from its own Mara in the city, and they can kill them or force them to move again. Forced displacement is not necessarily outside the country, but under some conditions it is. If people have the resources, family in another country, or the pressure is too much, they emigrate illegally.[171] According to the UNHCR, roughly 17,000 refugee and asylum-seekers from the Northern Triangle countries are in the U.S. and other Latin American and European countries. This information is illustrative but not conclusive because many forced migrants do not request refugee status.[172]

In wealthier urban areas, the trend is different. The presence of Maras in these communities is lower; therefore, displacement does not occur as a response to daily harassment but rather because of extortions and the perception of insecurity. In some cases, the community hires private security to protect families and businesses, but sometimes it is not enough to prevent forced migration. With forced displacement from wealthy areas, it is not only the exodus of people, but investments and businesses also

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[170] Ibid., 3.

[171] Ibid., 22.

[172] Centro Internacional para los Derechos Humanos de los Migrantes (CIDEHUM), "Forced Displacement and Protection Needs Produced by New Forms of Violence and Criminality in Central America," UNHCR (May 2012): 12, accessed September 12, 2014, http://www.unhcrwashington.org/sites/ default/files/ UAC_2_CIDEHUM_Forced%20Displacement%20and%20Protection%20Needs_May%202012_English.p df.

leave the country, causing even worse economic conditions for the region.[173] The direct cost of insecurity is high, representing 8.9 percent of the annual GDP in Mexico, and an average of 7.7 percent in Guatemala, Honduras, and El Salvador. In Mexico, an estimated 80 percent of these costs are borne by individuals and private companies.[174]

The Zetas cartel plays a prominent role in controlling illegal immigration. As inhibitors of migration, this organization controls the northern part of the railroad from the southern states of Mexico to the border with the U.S. They charge a fee for the use of the train and for protection. However, when needed, they kidnap immigrants for exploitation or to force them to become assassins for the cartel. According to the UNODC, the Zetas have produced a change of immigration trends, shifting their points of entry into the U.S. from Texas to Arizona and the Rio Grande Valley.[175] As promoters of forced migration, the Zetas' presence in the Northern Triangle to control territories and routes increases the level of violence in the region and the displacement from the areas they want.[176] The Zetas have control over territories in El Petén, Alto Verapaz, and some towns in Huehuetenango, forcing people in those regions to cooperate or to perish.[177]

Using Guatemala as an example of the relationship between forced migration and organized crime, one can identify a connection between risk zones, expelling zones, high homicide-rate areas, and main roads (Figure 7). The highest levels of criminality are located in the strategic territories under the control of organized crime. These are urban or rural zones, but in general include border areas between Honduras and Guatemala and between Guatemala and Mexico used for trafficking, coastal zones in the Izabal department of Honduras, where shipments of drugs arrive by plane or fast boats, and the interceptions between freeways and cities.[178]

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[173] Cantor, "Forced Displacement Caused by Organized Crime," 23.

[174] Papademetriou, Meissner, and Sohnen, "Migration and Human Capital," 35.

[175] UNODC "Transnational Organized Crime in Central America," 50.

[176] Cantor, "Forced Displacement Caused by Organized Crime," 17, 8.

[177] Ibid., 19.

[178] CIDEHUM, "Forced Displacement," 7.
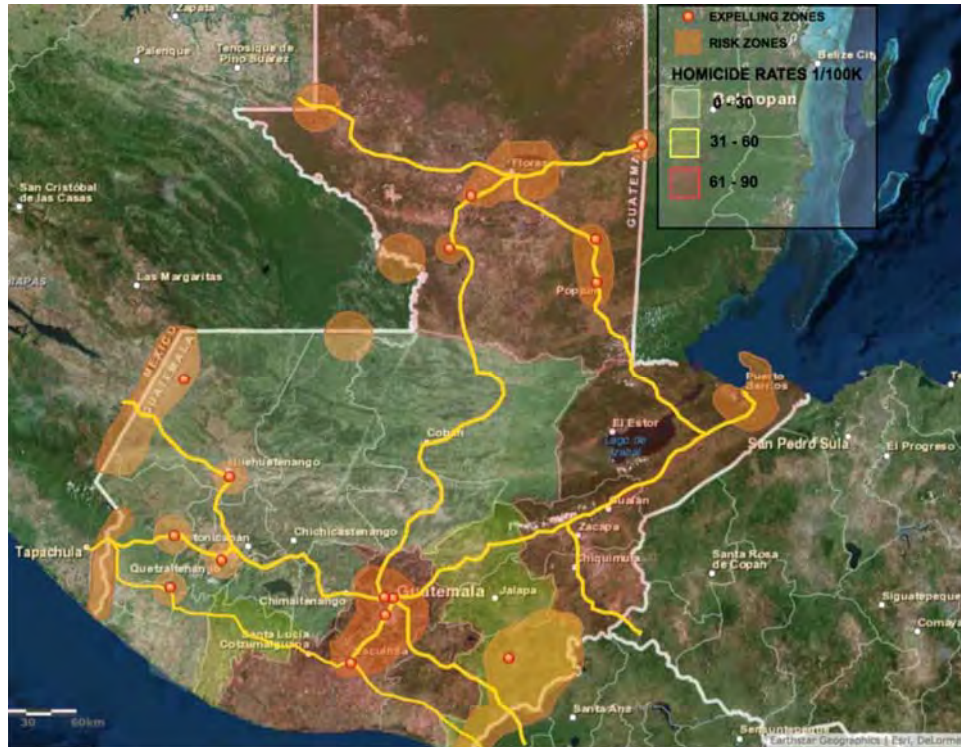
Figure 7.   Forced Displacement and Main Highways in Guatemala

4.   The Role of the State

According to Laura Gonzalez-Murphy, "state actions have a major impact on the size, direction, and effects of migration flows."[179] However, origin, transit, and destination countries play different roles. In the case of Central American origin countries, they are interested in three issues. First, the movement of surplus population out of the country provides short-term relief for poor economic conditions, social upheaval, and unemployment. Second, these states lobby transit and destination countries for the protection of their nationals, and for the implementation of regularization and temporary worker programs. Finally, they are interested in the continuity of migration because of the benefits that remittances represent for the country's economy and the survival of some sectors of its population. In 2013, for example, remittances in Latin

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[179] González-Murphy, *Protecting Immigration Rights in Mexico*, 12.

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America reached $61.3 billon dollars.[180] Mexico was the largest receiver with $21.6 billion, Guatemala occupied the second place with $5.1 billion, El Salvador the forth place with $3.96 billion, and Honduras the sixth place with $3.12 billion.[181] These remittances represented 1.7 percent of the GDP in Mexico, 28 percent of the GDP in Honduras, 17 percent in El Salvador, and 9 percent in Guatemala.[182] Due to the dependence of Central American countries on remittances, governments tend to exalt migrants as heroes because they leave home on behalf of their families.[183] Therefore, any measure implemented by transit and destination countries will be highly opposed by origin countries whose economy depends greatly on remittances, and whose social stability depends in part on the relief of people's mobility.

Transit and destination countries design migration policies to regulate who has the right to be admitted or stay and under which circumstances, and the activities they are allowed to carry out. These countries implement migration restrictions along the borders and inside their territories to filter out the legal from the illegal immigrants and to expel the undesirable. Furthermore, they create labor markets to admit migrants according to the interests of the country.[184] For instance, Mexico, acting as emigration and transit country, reformed migration laws to decriminalize illegal migration and to recognize the human and legal rights of migrants.[185] Mexico even considered granting humanitarian visas for transit migrants, giving them broader access to means for transportation and legal protection.[186]

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[180] "Remittance Flows Up in Central America and Caribbean, Down in Mexico and South America," Inter-American Development Bank, last modified June 10, 2014, http://www.iadb.org/en/news/news-releases/2014-06-10/mif-2013-remittances-report,10838.html.

[181] René Maldonado and María L. Hatyem, "Remittances to Latin America and the Caribbean in 2013: Still Below Pre-Crisis Levels," Multilateral Investment Fund, Inter-American Development Bank, Washington, D.C., (2014), 3, accessed September, 12, 2014, http://idbdocs.iadb.org/wsdocs/getDocument.aspx?DOCNUM=38842219.

[182] Nyberg, "Remittances and Transnational Development," 52.

[183] Ibid.

[184] Rosenblum and Brick, "Mexican/Central American Migration Flows," 2, 3.

[185] González-Murphy, Protecting Immigration Rights in Mexico, 150.

[186] Alba and Castillo, New Approaches to Migration Management, 16.

Each destination country implements immigration policies for convenience, prioritizing economic interests, social issues, humanitarian concerns, or security factors. For instance, the United States, as the main destination country for Central American migration, has embraced restrictive policies based on "prevention through deterrence" and "enforcement with consequences."[187] To implement these policies, the United States relies on massive expenditures, the increase of Border Patrol agents, the deployment of the National Guard, and the use of technology. The U.S. budget for border security and illegal immigration enforcement increased from $7.4 billion in 2002 to almost $17.2 billion in 2010; the number of border patrol agents commissioned on the U.S.– Mexico border grew from 3,555 agents in 1992 to 21,394 border patrol officers, 21,790 Customs and Border Protection agents, and 1,580 canine enforcement teams in 2013.[188] Furthermore, nearly 2,100 National Guard soldiers have helped to secure U.S. borders since 2010.[189] The technology deployed to enforce migration policies includes surveillance systems, sensors, unmanned aerial vehicles, information and communications systems, and virtual fences.[190]

During the twentieth century, the U.S. foreign policy towards Central America had considerable impact on past and current illegal immigration patterns. According to Salvador Martí i Puig and Diego Sánchez-Ancochea, the United States supported the military regime in El Salvador during the civil war in the 1980s and assisted the Efraín Ríos regime in Guatemala, providing training and resources during the state-led genocide of indigenous groups. Moreover, it supported the Contras in Nicaragua and simultaneously weakened the Sandinista regime through economic warfare.[191] The

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187 Rosenblum, "Immigration Enforcement Between Points of Entry," 4.

188 U.S. Customs and Border Protection, "Snapshot: A Summary of CBP Facts and Figures," (April 2013), accessed September 20, 2014, http://www.cbp.gov/sites/default/files/documents/ cbp_snapshot_2013.pdf.

189 National Guard Bureau, "Posture Statement 2014: Sustaining an Operational Force," Washington, D.C., (2014): 23, accessed August 25, 2014, http://www.nationalguard.mil/portals/31/Documents/ PostureStatements/2014%20National%20Guard%20Bureau%20Posture%20Statement.pdf.

190 Androff, "Human Rights and the War on Immigration," 148.

191 Martí i Puig and Sánchez-Ancochea, "Central America's Triple Transition," 7, 8. See also Linda Green, "The Nobodies: Neoliberalism, Violence, and Migration," Medical Anthropology: Cross-Cultural Studies in Health and Illness 30, no. 4 (April 22, 2011): 377.

economic and human costs as a consequence, in part, of the U.S. intervention in Central American during the civil wars were considerable. For example, in El Salvador, extrajudicial executions, forced disappearances, rape, and torture cost 75,000 lives. In Nicaragua, 30,000 were killed, and in Guatemalan, there were more than 250,000 deaths and 500,000 displaced.[192] Hence, measures implemented in origin, transit, and destination countries shape illegal immigration and have intended and non-intended consequences.

D.   THE CENTRAL AMERICAN NORTHERN TRIANGLE

There are some peculiarities among the development of emigration patterns in the countries of the Central America Northern Triangle. For instance, civil war in Guatemala had its worst effects on indigenous groups; emigration in Honduras started later than in the rest of the countries; and the military regime and migrants from El Salvador enjoyed more support from the United States. Furthermore, the proximity with Mexico played an important role on shaping migration patterns in Central America.

1.   Guatemala

Emigration in Guatemala started during the 1950s, influenced by the development of communications infrastructure, airlines, the installation of telephone lines, and the presence of U.S. companies. During that time, the drivers of Guatemalan migration were the possibility of studying in the United States, the demand for labor in certain services, better wages, and the relative freedom to emigrate.[193] During the 1970s, economic problems worsened by the 1976 earthquake, which left considerable human and material damage, and increased Guatemalan migration flows. Between 1970 and 1979, the number of Guatemalans residing in the United States reached 23,837.[194]

The economic crisis of the 1980s and 1990s, and the high levels of violence due to the civil, war resulted in international emigration without precedence. This migration

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[192] Martí i Puig and Sánchez-Ancochea, "Central America's Triple Transition," 8.

[193] Álvaro Caballeros, *Perfil Migratorio de Guatemala 2012* (Guatemala: Organización Mundial para las Migraciones, 2013), 43, 4.

[194] Caballeros, Perfil Migratorio de Guatemala 2012, 44.

followed three different patterns. The first flow was directed towards Mexico, in which approximately 200,000 people migrated, taking advantage of the proximity, shared culture, and the openness of the border. The second flow went to the United States. The labor demand in the United States during this period in the construction, service, and agriculture sectors pulled thousands of Guatemalan migrants.[195] By the end of the twentieth century, almost 500,000 Guatemalans resided in the United States. The third pattern consisted of migration to Central American countries, mainly to Belize and Costa Rica.[196]

The highest emigration growth took place between 2000 and 2010, with 671,722 new Guatemalan migrants arriving at the United States, representing an increase of 180.3 percent compared with the previous decade.[197] According to the International Organization for Migration (IOM), in 2010, the number of Guatemalan immigrants in the United States reached 1,637,119, equivalent to 11.4 percent of the total population of Guatemala,[198]from which up to 60 percent may be undocumented.[199]

Inequality and violence in Guatemala are unresolved issues, producing high rates of emigration. The signing of the Peace Accords in Guatemala in 1996 did little to reduce poverty, racism against the ethnic Mayans, impunity, and economic vulnerability.[200] Guatemala produces up to 35 percent of all the wealth in Central America, but this is not translated into economic benefits for the majority of the population. Unemployment and underemployment are considerable, and almost 75 percent of the workforce participates in the informal sector.[201] The creation of well-paid jobs and training to produce high-skilled workers has not been among the priorities for Guatemalan governments.[202] A

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[195] Ibid., 45.

[196] International Migration in the Americas, 168.

[197] Caballeros, Perfil Migratorio de Guatemala 2012, 47.

[198] Ibid., 193.

[199] Nyberg, "Remittances and Transnational Development," 50.

[200] Green, "Neoliberalism, Violence, and Migration," 371.

[201] Linda Green, "The Fear of no Future: Guatemalan Migrants, Dispossession and Dislocation," Anthropologica 51, no. 2 (2009): 330.

[202] Jonas, "Guatemalan Migration in Times of Civil War."

considerable portion of the population relies on remittances to meet basic needs and surpass the poverty line.[203]

2.   Honduras

The patterns of migration in Honduras were unlike those developed in the other countries of Central America. Honduran emigration began discretely during the 1960s with the growth of the coffee, cattle, and cotton industries; because of the need for large portions of land, a widespread internal displacement was produced in the southern part of the country.[204] The violence, economic crises, and political instability recurrent in Central America during the 1980s affected Honduras to a lesser extent; therefore, during this period it behaved more as a receiving country for refugees than an emigration country. Therefore, Hondurans neither participated in the regularization program of illegal immigrants under the Immigration Reform and Control Act (IRCA) of 1986 nor created the social networks that facilitate illegal immigration. Honduran emigration to the United States basically began during the late 1990s, growing from approximately 109,000 in 1990 to 283,000 in 2000.[205] One of the events that provoked the acceleration of Honduran migration was Hurricane Mitch in October 1998, which destroyed tobacco, banana, and coffee-growing regions, and caused the loss of at least 17,000 jobs.[206]

Honduran emigration continued at a rapid pace, experiencing a 132-percent increase from 2000 to 2011. According to the Census Bureau's American Community Survey, in 2011, 702,000 Hondurans resided in the United States,[207] although other estimations raise that number to 1.2 million of migrants, with 185,000 people leaving Honduras each year.[208] In 2012, the number of Hondurans deported from the United

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[203] Ibid.

[204] Daniel Reichman, "Honduras: The Perils of Remittance Dependence and Clandestine Migration," *Migration Policy Institute* (April 11, 2013), accessed September 5, 2014, http://www.migrationpolicy.org/ article/honduras-perils-remittance-dependence-and-clandestine-migration.

[205] Ibid.

[206] Ibid.

[207] Anna Brown and Eileen Patten, "Hispanics of Honduran Origin in the United States, 2011," *Pew Research: Hispanic Trends Project* (June 19, 2013), http://www.pewhispanic.org/2013/06/19/hispanics-of-honduran-origin-in-the-united-states-2011.

[208] Nyberg, "Remittances and Transnational Development," 51.

States reached 32,240,[209] and the ones deported from Mexico were 28,020, making up 37 percent of total deportees.[210] Current Honduran migration trends are related to political conflicts,[211] corruption, unemployment, poverty, inequality, and insecurity.[212] According to Daniel Reichman, "Migration has become a path to development, rather than a symptom of its failure."[213] Remittances are an important component of the Honduran economy. In 2011, they comprised 17 percent of the entire economy of the country; likewise, these resources are crucial for the survival of the impoverished population.

3. El Salvador

The process of emigration in El Salvador started as a consequence of the civil war. It displaced one-sixth of the population (1 million people),[214] and left a balance of 75,000 dead, comparable with the casualties of the U.S. Civil War.[215] Some Salvadorans sought refuge in the regions of the country not involved in the war; others migrated to Honduras, Nicaragua, and Guatemala, and another group moved to the United States through Mexico. The United States authorized the entrance of waves of Salvadorans into the country as a relief from the civil war; however, these migrants did not receive the status of refugees or permanent migrants because of the support of the U.S. government to the military regime. Between 1970 and 1980, there was a 73-percent increase of Salvadoran migration, and from 1979 to 1988 the number of emigrants to the United States reached 500,000 Salvadorans, with thousands more moving to Canada.[216]

After the end of the civil war, the social, economic, and political conditions in El Salvador did not improve. The amount of arable land available was insufficient for all the

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[209] "Estadísticas Migratorias," Dirección General de Migración y Extranjería, accessed September 16, 2014, http://www.migracion.gob.hn/index.php?option=com_content&view=article&id=78&Itemid=274.

[210] Reichman, "Honduras: The Perils of Remittance Dependence."

[211] Nyberg, "Remittances and Transnational Development," 47.

[212] Ibid., 51.

[213] Reichman, "Honduras: The Perils of Remittance Dependence."

[214] Nyberg, "Remittances and Transnational Development," 52.

[215] Elisabeth Jean Wood, *Insurgent Collective Action and Civil War in El Salvador* (Cambridge University Press, 2003), 8.

[216] International Migration in the Americas, 161.

families historically living from agriculture; furthermore, the prices of agricultural products and the level and availability of wages plummeted. Actually, nearly 2 million Salvadoran-born migrants are residing in the United States.[217]

E.   CONCLUSION

From the information presented in this chapter, it is possible to conclude that Mexico's multifaceted character as a country of immigration and transit increases the difficulty to regulate illegal immigration on the southern border of the country. Mexico is in a situation in which it has to stop Central American illegal immigration from reaching the United States, and simultaneously, it has to guarantee the human rights and integrity of those migrants. On one hand, Mexico apprehends as many Central American illegal immigrants as does the United States. Yet it decriminalized illegal immigration, demonstrating the compromise with regulation and protection, and simultaneously, the ineffectiveness of migration controls on the Mexican southern border.

The causes of Central American illegal immigration are diverse, including economic, social, political, and security factors. Their influence over illegal immigration patterns has varied according to the circumstances in origin and destination countries; therefore, any policy implemented to regulate migration must consider the combination of all conditions producing it. Security issues dominated during the twentieth century because of civil wars in Central America; however, globalization and economic interdependence have balanced the relationship between the factors that motivate migration. Currently, the number of illegal immigrants getting into the United States to Mexico is on the rise. The economic gap between North and Central America, and the violence generated by the presence of Mexican cartels and gangs make it less likely that illegal immigration can be controlled.

Given the background on transit migration and the causes and trends of Central America illegal immigration, the next chapter depicts the Mexican southern border and its relationship with migration flows. This border is described considering its

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[217] Clare Ribando Seelke, "El Salvador: Political and Economic Conditions and U.S. Relations," *Congressional Research Services* RS21655 (April 5, 2013): 21. Accessed September 20, 2014, http://fas.org/sgp/crs/row/RS21655.pdf.

configuration, legal and illegal points of entry, and communication networks. Further explanation is focuses on the main routes, and the means for transportation and services used by illegal immigrants to cross the southern region of Mexico to reach the United States. The chapter also covers the risks and threats that Central American illegal immigrants have to face while in transit through Mexico.

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III. THE SOUTHERN BORDER OF MEXICO, ITS MIGRATION ROUTES AND TRAPS

The purpose of this chapter is to describe the southern border of Mexico as a platform for migration, the migration routes throughout the southern region of the country, and the factors shaping those routes, which in turn, have complicated the regulation of illegal immigration. Furthermore, the description of risks and threats migrants encounter along these routes are identified because Mexico has the responsibility to provide security of citizens and migrants equally. These issues relate to the gap between plans and programs to regulate illegal immigration on the southern border of Mexico, and their outcomes, because they represent the points of intervention for the regulation and the protection of illegal immigrants. This chapter first describes the main features of the southern border of Mexico and its historical evolution. Subsequently, the factors shaping points of entry and migration routes for illegal immigration throughout the country are explained, emphasizing the role of the state, social networks and Non-Governmental Organizations (NGOs), cost, organized crime, and natural disasters. Then, the principal migration routes are identified, including Central American corridors, the Pacific, Center, Jungle, and Golf and Caribbean. Moreover, the risks and threats against illegal immigrants are depicted. Finally, conclusions are presented.

Although the transit of migrants through the southern border of Mexico is not comparable to that of the U.S.–Mexico border, the level of informal crossings and the number of illegal immigrants using that border to undertake their journey north are significant. Without including informal crossings between border communities, an estimated 1.9 million migrants cross the Mexico–Central America border. Studies show that 83 percent of these are legal entries of migrants as local visitors, tourists, and temporary workers registered by the National Immigration Institute (INM), 9 percent are

irregular entries of Central American migrants heading to the United States, and 8 percent are informal visitors or workers heading to Chiapas or other Mexican southern states.[218]

Illegal immigrants use the southern border of Mexico for their benefit, defining points of entry, platforms, nodes, and passageways according to various factors. For instance, policies implemented in transit and destination countries to secure borders determine illegal immigrant routes and their adaptation. Likewise, the economic and social resources available to migrants—accessible transportation, natural disasters, the support of non-state actors, corruption, and the violence related to organized crime—are issues shaping migration routes. According to these factors, illegal immigrants select the safest route, evading the authorities, hiding from organized crime, and obtaining resources for their journey.[219]

A.   THE SOUTHERN BORDER OF MEXICO

The establishment of the southern border of Mexico started during the 1800s when Mexico and Guatemala consolidated their independence. However, the border between both countries was under dispute because, until 1824, Chiapas was part of Guatemala.[220] The territorial claims were settled on September 27, 1882, with the signing of the Mariscal–Herrera Treaty of Limits.[221] The new border separated the territories of Mexico and Guatemala, but it did not divide the cultural, ethnic, social, and economic relations between both countries.[222]

The development of the border continued during the late nineteenth and early twentieth centuries with the discovery of natural and economic resources in Chiapas. During this period, coffee plantations in the Soconusco province grew substantially,

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[218] Ana E. Cervera Molina, " La Otra Frontera: Caracterización y Diferenciación del Migrante Beliceño en Relación a Otros Migrantes Centroamericanos en la Frontera Sur de México," in *Migraciones Centroamericanas: Realidades, Tendencias y Desafíos* (Morelia, Mich.: Universidad Michoacana de San Nicolás de Hidalgo, 2013), 147.

[219] Kimbal, "The Transit State," 8.

[220] Gonzalez-Murphy, "Tackling Southern Turbulence," 144.

[221] Castillo, "Mexico: Caught Between the United States and Central America."

[222] Instituto Nacional de Migración (INM), Encuesta Sobre Migración en la Frontera Sur de México 2011 (México: Secretaría de Gobernación, 2013), 26.

producing significant migration of Guatemalan workers to the region. This flow throughout the last century intensified the cross-border life and diluted the border.[223] According to Ann Kimbal, the southern border of Mexico during the twentieth century "was not much of a reality,"[224] because border controls did not exist or were not enforced, regional trade was strong, and social relations took priority beyond identity or nationality.[225]

The Mexican government began to consider the southern border of the country a matter of national security in response to a combination of international and domestic issues. At the international level, the factors involved were the civil wars in Central America and the refugee crisis, increased illegal migration of Central Americans to the United States, U.S. border security measures after the 9/11 terrorist attacks, and the growing presence of Central American gangs in Mexico. At the local level, Mexico's interest in the economic integration of North America, the war against organized crime, and the emergence of guerrillas as the Ejército Zapatista de Liberación Nacional (EZLN) shaped the restrictive controls and militarization of the southern border of the country.[226]

The civil wars in Central America during the 1970s and 1990s resulted in mass migration to Mexico and the establishment of refugee camps.[227] This period was chaotic for the management of the border because multitudes of Central Americans seeking refuge in Mexico entered the country without control, and because of Guatemalan's unauthorized military incursions into Mexican territory to pursue insurgents. Furthermore, the first networks of human smugglers (coyotes) emerged with the opportunity to make a business out of refugees trying to reach the United States.[228] At the end of the civil wars, large numbers of refugees were peacefully returned to their countries, but they left behind permanent bonds that helped in the development of the

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[223] INM, Encuesta Sobre Migración, 27, 8.

[224] Kimbal, "The Transit State," 52.

[225] Ibid.

[226] Natalia Armijo-Canto, Introduction to *Frontera Sur: Retos para la Seguridad*, ed. Natalia Armijo Canto (Mexico: Centro de Investigación y Estudios de Seguridad, 2012), 17.

[227] Jonas, "Guatemalan Migration in Times of Civil War."

[228] Kimbal, "The Transit State," 53.

first networks in the movement of illegal immigrants, the trafficking of drugs, and the smuggling of weapons.[229] The belief that insurgent movements could spillover into Mexico raised concerns for the control of the southern border. However, the issue that triggered a tighter control of the border was the uprising of the EZLN in 1994.[230] The Zapatista rebellion compelled the federal government to militarize the southern region of the country with a substantial increase in military bases in Chiapas, and with the establishment of Advanced Naval Stations (ENAs) along the Suchiate and Rio Hondo rivers.[231]

As a result of the 9/11 terrorist attacks, the United States pressured Mexico to strengthen controls over its southern border.[232] The United States feared crossings by the Palestine Diasporas in Central American countries, and the relations between some of these governments and the Organization for the Liberation of Palestine (OLP).[233] U.S. security officials believe that terrorist organizations and weapons of mass destruction could easily enter Mexico and reach the United States with few complications. Consequently, Mexico increased the presence of security agencies in the southern region of the country, thickening the border with the implementation of belts of controls. With these restrictions, Central American migrants adapted their tactics, establishing more isolated and dangerous migration routes and more frequently using the services of professional smugglers to cross Mexico.[234] Furthermore, other security concerns, such as transnational organized crime and the recurrent presence of Central American gangs in

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[229] Armando Rodríguez Luna, "Narcotráfico en la Frontera Sur de México," in *Frontera Sur: Retos para la Seguridad*, ed. Natalia Armijo Canto (Mexico: Centro de Investigación y Estudios de Seguridad, 2012), 80.

[230] Manuel A. Castillo, Mónica Toussaint Riobot, and Mario Vázquez Olivera, *Espacios Diversos, Historia en Común: Mexico, Guatemala y Belize – La Construcción de una Frontera* (Mexico: Secretaría de Relaciones Exteriores, 2006), 249.

[231] Villafuerte, "Mexico in the Age of Globalization," 344.

[232] Gonzalez-Murphy, "Tackling Southern Turbulence," 142.

[233] Sergio I. Moya Mena, "Los Árabes y el Poder Económico y Político en Centroamerica: Los Casos en Honduras y El Salvador," in *Viejas y Nuevas Migraciones Forzadas en el Sur de México, Centroamérica y El Caribe*, coord. Enrique Baltar Rodríguez, María da Gloria Marroni, and Daniel Villafuerte Solís (Universidad de Quintana Roo, 2013), 67, 8.

[234] Natalia Armijo Canto, "Frontera Sur de México: Dinámicas Fronterizas, Vulnerabilidad Social y Desafíos para la Seguridad," in *Frontera Sur: Retos para la Seguridad*, ed. Natalia Armijo Canto (Mexico: Centro de Investigación y Estudios de Seguridad, 2012), 45.

Mexico, revealed the vulnerability and lack of control of the southern border of the country.[235]

1.   General Characteristics

The southern border of Mexico is as diverse and complex as the illegal immigrants trying to cross it. It comprises 1,139 kilometers, of which 963 are shared with Guatemala and 176 with Belize.[236] The geography of this borderland is heterogeneous, including flat zones, river basins, inaccessible mountain areas, and impenetrable jungles where the border is barely signaled by a furrow in the ground.[237] Furthermore, the tropical climate, high temperatures, and 80-percent humidity characterize the difficult environment in this border area. For trade and transit, these conditions limit the legal exchange of goods and people, and hinder the effective control of the border. In turn, they constitute fertile ground for illicit activities related to drug trafficking, weapons smuggling, and illegal immigration.[238]

The dynamics on the Mexico–Guatemala border vary according to the characteristics of the region. Chiapas, Tabasco, Campeche, and Quintana Roo are the Mexican border states. In Guatemala, the states that comprise the border are San Marcos, Huehuetenango, Quiché, Alta Verapaz, and Petén (Figure 8). For instance, in Campeche, where the jungle is predominant, the formal crossing of people is low and irregular; it is difficult to access, transportation infrastructure is limited, and the level of population is reduced, despite the considerable number of human settlements along the border. This region is frequently used for illicit activities like trafficking of drugs, humans, and precious woods. In contrast, the construction of the freeway from El Naranjo to El Ceibo,

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[235] Gonzalez-Murphy, "Tackling Southern Turbulence," 147.

[236] Víctimas Entre Fronteras: La Ausencia del Estado en la Defensa de los Derechos de las Personas Migrantes en México, coord. Mario Santiago Juárez and Edoardo Bazzaco (Mexico: Litigio Estratégico en Derechos Humanos A.C., 2013), 13.

[237] Carlos Pineda Mannheim, Manuel Márquez Fariña, and Huascár Eguino, "Enfoque Integrado de Control Fronterizo y Desarrollo Territorial: El Caso Frontera Sur de Mexico," *Banco Interamericano de Desarrollo*, Notas Técnicas IDB-TN-143 (June 2010): 9.

[238] Pineda, Márquez, and Eguino, "Enfoque Integrado de Control Fronterizo," 9.

on the border with Tabasco, intensified illegal immigration.[239] Chiapas is the most important state for the entry, transit, and deportation for Central American illegal immigrants.[240] Migration flows are concentrated in the communities of the Pacific, characterized by higher labor and commercial interactions, greater border communities, and more extensive transportation networks, including highways, ports, and railroads.[241]

Figure 8. Configuration of the Southern Border of México.

The Belize–Mexico border can be called a "liquid border" because the Hondo River basin defines it.[242] According to Ana E. Cervera Molina, this border is articulated as an insular region characterized by its porosity and cultural distinctiveness with Mexico and the rest of Central America.[243] The main point of entry between both countries is the bridge Subteniente López in the city of Chetumal. Local visitors and tourists make up the bulk of migration flow, and the displacement of Belizean temporary workers is almost nonexistent; therefore, the relationship between the two countries is essentially commercial.[244]

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[239] INM, Encuesta Sobre Migración 2011, 25, 6.

[240] Isacson, Meyer, and Morales, Mexico's Other Border, 6.

[241] INM, Encuesta Sobre Migración 2011, 31.

[242] Natalia Armijo Canto, "Dinámica Fronteriza México-Belice: Tema Pendiente en la Agenda de Investigación Sobre la Frontera Sur," in Migraciones en el Sur de México y Centroamérica (Universidad de Ciencias y Artes de Chiapas, 2008), 239.

[243] Cervera, " La Otra Frontera," 144.

[244] INM, Encuesta Sobre Migración 2011, 25.

In sum, among the most significant features of the Mexico–Central America border are the highly dispersed settlements, a low level of social development and quality of life, a prevalence of informal economic activities and underdevelopment, and high vulnerability and porosity, all of which complicate the control of that border and the regulation of flows of people and goods. Furthermore, the southern region of Mexico has little participation in public policies and in the national economy, difficulty in the provision of public services and infrastructure development, elevated levels of insecurity, high rates of poverty, social exclusion, and weak state presence.[245] As Ivan Briscoe argues, the instability in the southern region of Mexico has been inherited from the historical centralization of the country, resulting in a tenuous grip on the periphery.[246]

2.   The Presence of the State

The infrastructure to regulate immigration flows on the southern border of Mexico is limited. For instance, there are only ten legal Points of Entry (POEs), of which seven are located in Chiapas, one in Tabasco, and two in Quintana Roo, and no legal POE exists in the border state of Campeche (Figure 9). Furthermore, these border posts have few resources and personnel to fulfill the basic function of an international POE.[247] In contrast, there are more than 350 informal POEs, including pedestrian and vehicular crossings.[248] The informal flows of people and goods coexist with the formal ones, with the tacit consent of the state. For Demetrios G. Papademetriou, Doris Meissner, and Eleanor Sohnen, the challenge for controlling this border is to allow informal flows to a certain degree in coherence with the historical relations between border communities, while gradually integrating those flows into legal pathways.[249]

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[245] Pineda, Márquez, and Eguino, "Enfoque Integrado de Control Fronterizo," 15, 7.

[246] Natalia Armijo Canto, "Frontera Sur de México: Los Retos Múltiples de la Diversidad," in *Migración y Seguridad: Nuevo Desafío de México*, ed. Natalia Armijo Canto (México: Colegio de Análisis de la Seguridad con Democracia, March 2011), 50.

[247] Armijo Canto, "Dinámicas Fronterizas," 26.

[248] CILA, "Cruces Fronterizos Vehiculares Informales."

[249] Papademetriou, Meissner, and Sohnen, "Migration and Human Capital," 34.

Figure 9.   Legal and Illegal Points of Entry (POEs).

The socioeconomic and cultural similarities in the borderland have allowed the loosening of migration controls along the border; instead, the Mexican government has positioned infrastructure and resources for the regulation of illegal immigration in what can be identified as a "vertical border."[250] That is, mobile and fixed checkpoints placed at strategic points, forming belts of control so that the border is thickened.[251] These control tiers are fixed in three planes. The first one consists on legal POEs, fixed and mobile checkpoints, and patrols of migration and security agencies. The second one is located approximately thirty miles from the border and includes posts on the main roads crossing through Huixtla, Suchiate, Arriaga, Trinitaria, Comitán, Benemérito de las Américas, and Palenque. The last layer is located at about one hundred miles, and the third is placed along the Isthmus of Tehuántepec (Figure 10).[252] Checkpoints are located at the main highways heading north, hindering the transit of illegal immigrants through the southern region of Mexico. In contrast, the surveillance along dirt routes and railways is

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[250] Isacson, Meyer, and Morales, Mexico's Other Border, 26.

[251] Ibid., 2.

[252] Ibid., 26.

limited.[253] With this approximation, the flows along the borderland are relatively free, but more restrictive along the principal highways.

Figure 10.   Belts of Control on the Southern Border of Mexico.

Different agencies participate in the operation of the checkpoints for the regulation of illegal immigration; however, coordination is absent, and the functions of these posts and the resources employed are duplicated. For instance, along the highway between Tapachula and Arriaga, up to eight checkpoints may be found, and are administered by diverse agencies.[254] Every few miles, public and private vehicles are stopped for inspection and the verification of the passengers' migration status. The agencies with checkpoints include the Federal Police, the Chiapas State Police, the Army, the Navy, the National Migration Institute, Customs, and the Federal Attorney General's Office (PGR).[255] In the most isolated parts of the border, the Mexican Navy has Advanced Naval Stations (ENAs);[256] however, this institution does not have the authority

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[253] Kimbal, "The Transit State," 43.

[254] González-Murphy, Protecting Immigration Rights in Mexico, 62.

[255] Isacson, Meyer, and Morales, Mexico's Other Border, 27.

[256] Ibid., 21.

to verify an individual's migration status and detain illegal immigrants.[257] The presence of the Mexican armed forces along the southern border is oriented to fight drug trafficking and weapons smuggling. Despite their involvement to verify the migratory status of people crossing their posts, they do not have specific operations and resources to stop illegal immigrants. Furthermore, military patrols and checkpoints are limited or nonexistent close to the autonomous indigenous communities where they are viewed with distrust as a result of the suppression of the 1990's guerrilla movements.[258]

Another feature of the regulation of migration flows is the detention centers. Currently, 32 of these centers exist throughout Mexico. Furthermore, the National Migration Institute has established 15 provisional stations type A that provide for the detention of migrants for a maximum of 48 hours, and 12 provisional stations type B that provide for a maximum detention of seven days.[259] Most centers are located in the southern states of the country, particularly, in the cities with connections to important transport routes, harbors, and airports, indicating the intent to stop illegal immigration in this region.[260] The National Migration Institute administers detention centers, which are dedicated facilities for the custody of illegal immigrants pending their deportation or the regularization of their migratory status. Detention centers are vulnerable to the intrusion of heavily armed groups looking to kidnap migrants, because the institute as responsible to provide security against that threat lacks the resources to do it.

The presence of migration authorities along the southern border of Mexico is limited. There are only 125 migration officers assigned to cover the 1,139 kilometers of the border.[261] In 1990 the National Migration Institute created a migrant protection group

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[257] Cámara de Diputados, "Ley de Migración," accessed September 10, 2014. http://www.diputados.gob.mx/LeyesBiblio/pdf/LMigra.pdf

[258] CNN Mexico, "Indígenas de Chiapas Retienen a Militares Tras Operativo de Vigilancia," last updated March 19, 2013, http://mexico.cnn.com/nacional/2013/03/19/indigenas-de-chiapas-retienen-a-militares-tras-operativo-de-vigilancia.

[259] Sin Fronteras IAP, "La Ruta del Encierro: Situación de las Personas en Detención en Estaciones Migratorias y en Estancias Provisionales," (Mexico, D.F., 2013), 15, accessed July 12, 2014. http://sinfronteras.org.mx/attachments/informe-2014.pdf.

[260] Rodolfo R. Casillas, "Las Rutas de los Centroamericanos por México, un Ejercicio de Caracterización, Actores Principales y Complejidades," Migración y Desarrollo (2008): 162.

[261] Benítez Manaut, "Migración y Seguridad," 181.

known as "Beta." It has the purpose to provide humanitarian aid, medical assistance, and guidance about their rights. Of the eight Beta Group offices in the country only two are located in the southern region. The headquarters of these groups are Tapachula and Comitán, from where 47 Beta agents patrol the borderland, rescuing migrants and providing assistance.[262] In 2011 alone, this organization helped more than 5,600 migrants in danger and provided basic guidance to 286,868 migrants.[263] The contrast between the reduced number of migration agents operating on the southern border of Mexico and the existence of Beta groups to guide and rescue migrants, illustrates the country's inconsistency and duality of border policies and illegal immigration controls.

B.   MIGRATION ROUTES

Illegal immigrants do not build new roads; instead, they use resources at hand to cross borders and territories, adapting their routes and means for transportation according to various factors. These include restrictions that states implement to secure borders, financial resources available to migrants in relation to the cost of their journey north, social networks supporting the movement of migrants, natural disasters, and exploitation of organized crime over illegal immigrants. Border controls are obstacles, but not necessarily impediments. They can be overcome by changing routes to evade the authorities or by paying bribes. Central Americans have a culture of migration; from generation to generation, they have transmitted the knowledge and tradition to emigrate north. Social networks provide migrants with financial support and insight into what they may experience. Natural disasters destroy existing routes and open new ones; illegal immigrants use what is available to them.[264] Finally, the same organized crime violence that produces forced migration in origin countries is present in migration routes, functioning as a deterrent and as an obstacle for illegal immigrants to be evaded.

The Mexican government has not closed its southern border for several reasons. As explained previously, the social, economic, and cultural relations between border

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[262] Grayson, "Mexico's Forgotten Southern Border."

[263] González-Murphy, *Protecting Immigration Rights*, 58, 9.

[264] Casillas, "Las Rutas de los Centroamericanos," 165.

communities make difficult to divide something that goes beyond nationality. Furthermore, the informal flow of people and goods provide a relief valve for the precarious conditions of those communities. Therefore, the assessment of the southern border of Mexico as a line is useless to explain why government efforts have failed to regulate illegal immigration. Since the Mexican government has allowed regional migration and has restricted transit migration, an analysis of migration routes and the factors defining them is fundamental. With the knowledge of migration routes, then government's efforts can be oriented to regulate flows in the points that are most cost-effective and can adequate its operations according to the change in factors defining those routes.

1.   The State

Migration routes can be continuous or permanent, depending on the involvement of the state to stop illegal immigration along the border and in the interior of the country, and the measures to facilitate legal entry. Specific actions of the Mexican government shape migration routes: the establishment of checkpoints in strategic locations and along highways, train stations, harbors, and airports;[265] the rotation and removal of immigration authorities; the simplification of processes to grant visas; and the construction of roads and border infrastructure.[266] Other factors related to the state's efforts to define migration routes include the implementation of temporary worker and regularization programs, international agreements related to migration issues and deportation processes, and the corruption of migration authorities.

Due to the restrictions and controls that the Mexican government implements in the southern region of the country, the probability of migrants being detected is quite high if they are using common transportation, such as buses or particular vehicles. Therefore, illegal immigrants use a variety of means for transportation and illicit services

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[265] Kimbal, "The Transit State," 68.

[266] Casillas, "Las Rutas de los Centroamericanos," 169.

whose conditions endanger their lives. [267] For instance, the use of freight trains has become popular because the presence of migration checkpoints on the railways is much less in comparison to highways.[268] Furthermore, increasing legal and administrative barriers for obtaining visas led to the development of social, humanitarian, and illegal processes to support and exploit migration flows. These factors partly explain the diversity of migration routes and the formal and informal actors participating in migration processes.[269]

Checkpoints along highways produce variations in migration routes. In contrast, the presence of migration authorities on the border is symbolic since some informal crossings are located near legal POEs and blatantly visible. One in particular is the presence of military posts and patrols along the border. Although the armed forces do not have the ability to enforce migration laws, their mere presence deters illegal immigrants.[270] Another factor is the belt of control placed in the Isthmus of Tehuantepec. This area is the narrowest section of the Mexican territory, with a length of only 210 kilometers from coast to coast. It represents a bottleneck for migration flows, and a strategic area for the control of migrations. For instance, 80 percent of illegal immigration apprehensions in the Mexican territory occur in this area.[271]

Illegal immigrants and professional smugglers are aware of the methods used by migration and security agencies to control the border and regulate migration. Fixed posts are perfectly identified, and mobile checkpoints are usually located in main highways, with easily signs noticeable at long distances. Therefore, government response has to be as adaptable as illegal immigration.

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[267] María del C. García Aguilar and María Tarrío García, "Migración Irregular Centroamericana: Las Tensiones entre los Derechos Humanos, Ley y Justicia," in *Migraciones en el Sur de México y Centroamérica* (Universidad de Ciencias y Artes de Chiapas, 2008), 141.

[268] Kimbal, "The Transit State," 68.

[269] Casillas, "Las Rutas de los Centroamericanos," 161.

[270] Luis A. Arriola Vega, "Crónica de la Migración Centroamericana en Tránsito por la Ruta del Gulfo," in *México ante los Recientes Desafíos de la Migración Internacional*, coord. Telésforo Ramírez García and Manuel A. Castillo (Mexico City: Consejo Nacional de Población, December 2012), 194.

[271] Erick M. Maldonado Ríos, *Marco General y Descripción de Acciones del Estado de Guatemala en Materia de Migración* (Guatemala: Consejo Nacional de Atención al Migrante de Guatemala, October 2010), 29.

2.   Organized Crime

Some factors related to organized crime have produced a change in illegal immigration routes. First, these routes overlap at some level with the trafficking of drugs from South America to the United States, making immigrants more visible and vulnerable to exploitation. Second, in parts of the country, criminal organizations have replaced the state or operate in collusion with members of security and migration agencies in charge of controlling the border and regulating illegal immigration. Finally, the illicit condition of Central American migrants makes them the perfect prey for organized crime groups since they are not willing to report abuses and violations for fear of being deported.[272]

Professional smugglers, Central American gangs, and Mexican cartels play an important role in defining migration routes.[273] Networks of professional smugglers or coyotes transport illegal immigrants, but at certain costs and under some level of uncertainty and insecurity. These organizations are usually families or friends who have an infrastructure to accommodate and transport immigrants, and connections with corrupt officials who allow free movement. Furthermore, coyotes must have the consent of powerful organized crime groups, like the Zetas cartel, to operate along their routes. Another group participating in illegal immigration is the Maras. They have a smuggling structure to move people from Central America to the U.S.,[274] and force migrants to use their services, to pay a fee for the use of the train, or to provide sexual services to gang members. The participation of Zetas with illegal immigrants is more precise and ruthless. They kidnap immigrants for exploitation, requesting ransom to their families in the United States or in their countries of origin.

Organized crime, illegal immigrants, and the state create a game in which one player's moves have direct implications on the others. For instance, illegal immigrants face the dilemma of using standard routes and means for transportation—putting

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[272] Manaut, "Migración y Seguridad," 185.

[273] UNODC "Transnational Organized Crime in Central America," 50. See also Refugee Survey Quarterly-2014-Cantor-rsq-hdu008, 6.

[274] Farah and Lum, "Central American Gangs," 12.

themselves at risk of being apprehended by migration authorities—or following more isolated routes with the danger of falling in the hands of organized crime. The Mexican government must regulate and protect migrants from organized crime and from corrupt officials. Organized crime takes advantage of the inefficacy of the government and the necessity of illegal immigrants.

3.   Cost

Resources available to migrate north are a decisive factor in selecting a route to be used to reach the United States through Mexico. As Ann Kimbal explains, money cannot circumvent all immigration policies;[275] however, it helps in the selection of the route, transportation, and services used to make their journey safer and faster. The most vulnerable migrants are the ones without resources to hire a smuggler, to pay the fees for the use of freight trains to gangs, to buy the protection of organized crime and corrupt officials, or just to pay for food and lodging. Migrants with limited resources move along migration routes step-by-step, using the support of non-state organizations and working to obtain money for their journey.[276] In contrast, with enough financial resources, migrants can buy fake migration documents and purchase an airplane ticket from Cancún or Tapachula to a city in the north of Mexico, saving lots of trouble.

The preferred or only available means of transportation in southern Mexico for illegal immigrants without economic resources is the Chiapas-Mayab train, better known as "La Bestia." If for any reason this transport is out of service, migrants without economic resources can take different paths. First, they walk long distances through inhospitable roads to continue their journey, evading migration checkpoints. Second, they just surrender to migration authorities to be deported to their home countries. Finally, they can wait, using the time to build social networks and to obtain resources. It is possible to observe the concentration of Central American migrants in the principal

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[275] Kimbal, "The Transit State," 7.

[276] Ibid., 7.

railway nodes such as Tenosique or Arriaga when the train is out of service.[277] In sum, illegal immigrants decide when and how to migrate according their available cash.

The Mexican Secretary of the Interior (SEGOB) announced that it would establish controls to prevent illegal immigrants from risking their lives by using freight trains to travel north. The National Migration Institute argues that since August 2014, it maintains permanent surveillance of the railroads along Chiapas.[278] This measure will have awful consequences over illegal immigrants with fewer resources because they will not desist on trying to reach the United States, and for that purpose, they will use other means as walking longer distances or cooperate with organized crime that use the most isolated routes in exchange for a ride. Therefore, taking migrants out of the train will not help to regulate illegal immigration or protect migrants, since they will adapt their methods to riskier and more inaccessible routes where not even humanitarian organizations can help them. Taking illegal immigrants out of the train will only make the precarious conditions of migrants less evident.

4.   Social Networks and Non-governmental Organizations

Over time, illegal immigrants have learned about routes and their threats, places for shelter, and temporary jobs. They have changed routes according to the vicissitudes of the journey by generating relations with humanitarian organizations, networks of traffickers, and migration authorities to receive assistance, or to avoid them when possible and necessary. According to Rodolfo Casillas, the development of social networks compensates for the lack of institutional power in the hands of migrants.[279] Finally, social networks represent a way to reduce the costs and risks to migrate, because they allow the exchange of information about migration checkpoints, the presence of organized crime, the condition of transportation, and places to rest.

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[277] INM, Encuesta Sobre Migración 2011, 61.

[278] Secretaría de Gobernación, "INM Fortalece Frontera Sur," Report INM 39/14, last updated August 28, 2014, http://www.inm.gob.mx/index.php/page/Boletin_3914.

[279] Rodolfo R. Casillas, "Los Migrantes Indocumentados: su Vulnerabilidad y la Nuestra," in *Migración y Seguridad: Nuevo Desafío de México*, ed. Natalia Armijo Canto (México: Colegio de Análisis de la Seguridad con Democracia, March 2011), 147.

A consideration illegal immigrants use to plan their routes is the location of shelters such as The Migrant's House (La Casa del Migrante). This organization is part of a larger network of safe houses, with 47 of them throughout Mexico, located mainly along the migratory routes.[280] Their purpose is to provide shelter, food, spiritual counsel, and medical assistance to the greatest extent possible. Furthermore, they are the principal advocates of the human rights of migrants.[281] Usually, illegal immigrants retreat to safe houses for shelter and to flee from migration authorities and criminals. Migration officers are not allowed to pursue illegal immigrants inside the safe houses in accordance with humanitarian principles.[282] The impact of non-state actors is considerable because of the number of migrants supported. A safe house can provide assistance to as many as 36,500 migrants per year.[283]

Migration shelters represent a guide indicating the path to follow for migrants. They jump from shelter to shelter for protection and help. The government allows the existence of these places for humanitarian reasons, but if the intention would be to eradicate illegal immigration, then a good starting point is to close them. Authorities are aware of the relevance of NGOs to reduce, for at least a moment, the suffering of migrants. But they can also provide information to the government for improving processes to protect and regulate migration.

5.   Natural Disasters

Natural disasters such as hurricanes and floods modify migration routes. For instance, in 2005, Hurricane Stan destroyed the railroad from Tapachula to Arriaga, producing a shift of routes from the Pacific to the Lacandona jungle and the Gulf of Mexico.[284] Coinciding with this event, in 2006, illegal immigration apprehensions

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[280] Odette Solís García, "Acciones en Tiempos de Riesgo: El Trabajo de las Organizaciones de la Sociedad Civil en un Contexto de Creciente Violencia," in Migración y Seguridad: Nuevo Desafío de México, ed. Natalia Armijo Canto (México: Colegio de Análisis de la Seguridad con Democracia, March 2011), 169.

[281] González-Murphy, *Protecting Immigration Rights*, 33.

[282] Arriola, "Crónica de la Migración Centroamericana," 206.

[283] Solís, "Acciones en Tiempos de Riesgo," 170.

[284] Casillas, "Las Rutas de los Centroamericanos," 165.

dropped, probably as a result of the new routes that were unknown to migration authorities.[285] Likewise, floods have produced interruptions in migration routes because they block railways, destroy bridges, and make the entry through border rivers difficult.[286] In contrast, during the dry seasons, flood plains are more passable, facilitating the mobilization of migrants across them and through the liquid border.[287]

Illegal immigration is an adaptable process that evolves according to the circumstances. Not just natural disasters, but seasonal climate produces variations on migration routes. With this understanding the government can predict migration trends, implementing programs most effectively to regulate and protect migrants.

6.   Existing Routes

The diversification of routes and points of entry respond to different strategies and moments of transit migration. The routes used by illegal immigrants are classified as maritime, air, and land. The latter, in turn, are classified in railways, walking roads, and highways.[288] Land routes, and mainly the railways, are most commonly used to traverse the southern region of Mexico. Land routes in the south of the country are less diversified than in the north, especially because of the shape and transportation needs in that region of the country. As the land routes approach the central part of the country, they tend to diversify.[289]

Illegal immigrants can cross the Mexico–Central America border using different points of entry and means for transportation. The first step in their journey is to traverse Central America and reach one of those points of entry. The selection of the crossing point is related to distance and ease of transit. The entry to Mexico is relatively simple because the border is open, and numerous access points lie close to border cities and roads. Once in Mexico, illegal immigrants can use four main routes to cross the south of

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[285] INM, *Encuesta Sobre Migración 2011*, 61.

[286] Arriola, "Crónica de la Migración Centroamericana," 192.

[287] Ibid., 189, 90.

[288] Casillas, "Las Rutas de los Centroamericanos," 161.

[289] Ibid., 165.

Mexico on their way to the United States. These routes are the Pacific Coast, the Central Region, the Jungle, and the Gulf and Caribbean (Figure 11). Mexico has not closed its southern border; instead, it is trying to regulate illegal immigration and illicit flows through the surveillance of transportation networks. Therefore, an assessment of migration routes is needed to understand the objectives and results of plans and programs implemented to control migration flows. The following sections describe the crossing points along the southern border of Mexico and the principal routes to transit the country.

Figure 11.   Illegal Immigration Routes in Southern Mexico.

a.   *Reaching the Mexican Border*

The first part of the trip for any Central American migrant to the southern border of Mexico is relatively easy; citizens from Honduras, Guatemala, Nicaragua, and El Salvador are able to travel without the need of a visa between these countries under the Central America-4 visa program. Therefore, Central American migrants can use private vehicles or buses to reach the southern border of Mexico. The decision on what route to take depends on the selected point of entry into Mexico. For instance, Hondurans can take a bus through El Petén and reach the Mexican border in less than 24 hours, and

Salvadorans can use the Pan-American Highway to cross Guatemala.[290] Central American migration accessing Mexico from Guatemala use two main corridors represented by the states of Tabasco and Chiapas in Mexico, and the departments of San Marcos, Huehuetenango, Quiche, and El Petén in Guatemalan (Figure 12).[291] Furthermore, these migrants use maritime routes departing from places like the port of Ocos in Guatemala.[292]

Central American migrants can cross the southern border of Mexico using different means. They can cross by walking through the jungle and uninhabited areas, using small boats to cross a border river such as the Suchiate for the cost of a dollar,[293] or employing private vehicles through dirt roads.[294] The use of *balsas* (rafts) to cross the border is one of the most characteristic representations of the tacit consent of Mexican authorities to illegal immigration and regional movement. Once they cross the border, the next step is to reach a town or city where transport is more abundant.

Figure 12.   Illegal Immigration Routes to Reach the Southern Border of Mexico.

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[290] Isacson, Meyer, and Morales, "Mexico's Other Border," 13.

[291] INM, *Encuesta Sobre Migración 2011*, 32.

[292] García and Tarrío, "Tensiones entre los Derechos Humanos, Ley y Justicia," 142.

[293] Grayson, "Mexico's Southern Flank," 58.

[294] *Víctimas Entre Fronteras*, 14.

The Mexico–Belize border is becoming increasingly important for illegal immigrants. While the level of mobility across this border is considerably less than on the Mexico–Guatemala border, in recent years it has become more dynamic in population mobility.[295] It is because of the destruction of the railroad connecting Tapachula with Arriaga caused by Hurricane Stan in 2005 that produced the emergence of new migration routes, and the increase migration of Hondurans that found it easy to travel short distances through Belize. One of the most recurrent points of entry is Santa Elena, near the international bridge Subteniente López, which connects the city of Colozal with Chetumal. This passage is so common and simple that illegal immigrants do not usually have to use dangerous routes. They can take a taxi or walk down the bridge.[296]

b.   *Pacific Route*

The Pacific route includes the Soconusco region cities of Tapachula, Huixtla, Mapastepec, Pijijiapán, Tonalá, and Arriaga, up to the city of Ixtepec, Oaxaca. This route starts in Tapachula. There are three legal POEs with roads heading to Tapachula that is considered the most important entrance through the southern border because it has various transport and communication routes such as the train Chiapas-Mayab connecting Tapachula with Ixtepec.[297] Guatemalans and El Salvadorans prefer this route for its proximity and the transportation available.

Immigrants use public transport as the primary means to travel from the border regions of Suchiate and Tuxtla Chico to Tapachula. From there, they continue on the Chiapas-Mayab train, particular vehicles, or public transportation. In 2005, Hurricane Stan destroyed the railroad tracks from Tapachula to Arriaga, suspending train operations for nine years, until May 2014. During this period, illegal immigrants arriving at Tapachula had to walk to Arriaga, a distance of 400 kilometers, for approximately two weeks to continue their trip north using the freight train. Another option was to alternate

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[295] Migraciones en el Sur de Mexico y CA 2008, 221.

[296] Carlos Barrachina Lisón, et al., "Dinámicas Fronterizas del Petén Guatemalteco y los Estados Mexicanos de Tabasco, Campeche y Quintana Roo," in Viejas y Nuevas Migraciones Forzadas en el Sur de México, Centroamérica y El Caribe, coord. Enrique Baltar Rodríguez, María da Gloria Marroni, and Daniel Villafuerte Solís (Universidad de Quintana Roo, 2013), 263, 4.

[297] Víctimas Entre Fronteras, 19.

the use of passenger buses and taxis, dismounting them before migration checkpoints, walking several kilometers to bypass the posts, and then boarding another taxi to continue north. Along the Pacific route lie several migration checkpoints. For instance, there are fixed posts in Huehuetán located 30 kilometers from Tapachula, in el Hueyate close to Huixtla, in the town of Echegaray in the municipality of Pijijiapan, in Tonalá, and in Arriaga.[298] Furthermore, there are several mobile checkpoints along the highway 200 and secondary roads (Figure 13).

Figure 13.   Pacific Route.

In addition to the land route, illegal immigrants can use air and maritime routes according to their possibilities. For instance, there are immigration controls in the Tapachula International Airport, but does not deter migrants with fake documents or a willingness to pay bribes to migration officials. Migrants using the maritime route depart from the port of Ocós in San Marcos, Guatemala, just a few kilometers away from the border. Migrants are transported by fishing boats to Puerto Madero, Barra San Simón,

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[298] Ana S. Alfonzo Melgar, "La Dinámica de los Flujos Migratorios en la Frontera Sur de México: Una Breve Interpretación," El Colegio de la Frontera Sur (October 2008): 3, accessed October 6, 2014. http://www.acnur.org/biblioteca/pdf/6799.pdf?view=1.

and Barra de San José in Chiapas, where they replenish fuel and food to continue their journey to the coast of Oaxaca, Guerrero, and even up to Sinaloa. The Mexican Navy has the responsibility to patrol the territorial sea of the country; however, it does not have the authority to enforce migration laws.[299]

c.   Central Route

The central route includes the cities of Ciudad Cuauhtémoc, Lázaro Cárdenas, La Trinitaria, Comitán, San Cristóbal de las Casas, and Tuxtla Gutiérrez.[300] Only two legal POEs are part of this route (Figure 14).[301] Illegal immigrants have used the Central route more frequently as a consequence of the disruption in the operation of the Chiapas-Mayab train running along the Pacific route.
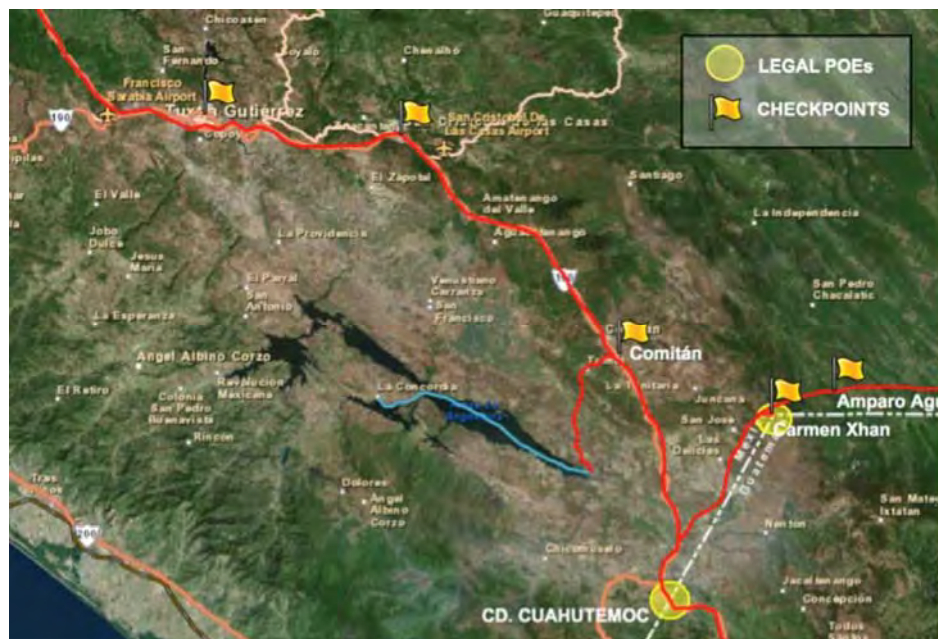
Figure 14.   Central Route.

[299] Alfonzo, "La Dinámica de los Flujos Migratorios," 3, 4.

[300] Ibid., 4.

[301] Sección Mexicana de la Comisión Internacional de Límites y Aguas (CILA), "Cruces Fronterizos Entre México y Belize," last modified October 30, 2013. http://www.sre.gob.mx/cilasur/index.php/sala-de-prensa.

The access to Mexico via the central migration route is simple. Illegal immigrants can cross through blind spots, evading migration controls at the border. Several dirt roads for pedestrians and vehicles connect with highways 190 (Pan-American Highway). The most widely used means of transport is passenger buses leading to Comitán or Tuxtla Gutierrez. In this route, there are fixed checkpoints in Comitan, San Cristóbal, Tuxtla Gutiérrez, Carmen Xhan, and Amparo Agua Tinta. In sum, the access to this region is simple and there are plenty of means for transportation and illegal POEs; however, the migratory controls force illegal immigrants to follow isolated roads.[302]

d.   *Jungle Route*

The area of influence of the jungle route includes the municipalities of Tenosique, Balancán, Emiliano Zapata, and Palenque in Mexico, and the department of El Petén in Guatemala (Figure 15). The Petén is a leading distributor of migrants to Mexico, especially for Hondurans, and to a lesser extent for Nicaraguans.[303] This route has two legal POEs. A section of the Chiapas-Mayab train is used as part of this path. Migrants currently board the train's northern route in Palenque, following a track along the Gulf of Mexico through Veracruz.[304] This route became relevant with the construction of the highway No. 13 in Guatemala, which connects the center of El Petén department to the town of El Naranjo,[305] and the inauguration of the highway Tenosique-El Ceibo that crosses the border through the legal POE Sueños de Oro, Mexico, to El Ceibo, Guatemala.

Given the geographic characteristic of the Lacandona region and the Petén jungle, illegal immigrants and drug traffickers simultaneously use numerous illegal POEs and hidden pathways in the area. The only advantage of using these roads is the absence of migration authorities; however, the isolation, temperature, and vegetation of the region

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[302] Alfonzo, "La Dinámica de los Flujos Migratorios," 4.

[303] Barrachina, et al., "Dinámicas Fronterizas del Petén," 247, 8.

[304] Isacson, Meyer, and Morales, Mexico's Other Border, 18.

[305] Arriola, "Crónica de la Migración Centroamericana," 188.

and the presence of organized crime put their lives in jeopardy.[306] Tenosique is a particularly dangerous area because of the presence of Zetas.[307]

Figure 15.   Jungle Route.

e.   Gulf and Caribbean

The Gulf and Caribbean route connects Belize and the northern areas of Guatemala with the Yucatan Peninsula, where Central American illegal immigrants, mostly from Honduras and El Salvador, use different means of transportation to travel north. According to the characteristics of the borderland, this route can be divided in two zones: the Hondo River basin and Campeche (Figure 16). The Hondo River basin has two legal border crossings. The passage through them is so common and simple that illegal immigrants do not usually have to venture through dangerous routes. They can take a taxi or walk down to the bridges carrying all sorts of goods without being disturbed.[308] In addition to these border crossings, migrants use a sea route to transit from Corozal to Chetumal, landing at the same dock or at other points without being disturbed by migration authorities.[309]

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[306] García and Tarrío, "Tensiones entre los Derechos Humanos, Ley y Justicia," 139.

[307] Barrachina, et al., "Dinámicas Fronterizas del Petén," 251.

[308] Ibid., 263, 4.

[309] Ibid.

The zone of Campeche comprises 194 kilometers of border with Guatemala. Curiously, no legal crossing between Mexico and Guatemala appears along this border; therefore, all flows occurring in this area are inevitably illegal. The principal point of entry to Campeche is the zone of Caobas-Arroyo Negro in the municipality of Xpujil. Noteworthy is the large number of communities on the border side of Campeche and in the roads crossing the Calakmul Biosphere Reserve, which allow the transit of migrants without great complications.[310]

Figure 16.   Gulf and Caribbean Route.

Illegal immigration routes are not a secret. Researchers, journalists, human rights advocates, and governmental agencies have collected information about them and the factors producing their adaptation. What can be extracted from this knowledge is the design of plans and programs to regulate the flows through these routes and the creation of institution with the capacity to implement them. However, the presence of the Mexican state in the southern region of the country is weak, and the National Migration Institute, as the agency responsible to enforce migration laws, lack the capacity to control all migration routes described. Along migration routes the government must accomplish two purposes; first to filter legal from illicit flows; and second, protect the rights of migrants.

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[310] Barrachina, et al., "Dinámicas Fronterizas del Petén," 249.

In the next section the threats that illegal immigrants face in their transit through Mexico are described, because the Mexican government needs to take them into account for the design and implementation of plans and programs and the strengthening of institutions.

C.   THREATS FOR ILLEGAL IMMIGRANTS CROSSING MEXICO

During an interview on July 1, 2010, Arizona Governor Janice K. Brewer said, "We cannot afford all this illegal immigration and everything that comes with it, everything from the crime and to the drugs and the kidnappings and the extortion and the beheadings and the fact that people cannot feel safe in their community. It is wrong!"[311] Her argument is an example of disseminated ideas about the implicit relationship between security and illegal immigration. To affirm that all illegal immigrants are a threat to the state is out of place. It is a powerful political tool, however, to strengthen border controls and criminalize migration for the sake of national security, sovereignty, and identity.[312] States have the prerogative to secure their borders; likewise, they have an obligation to protect the human rights of any person in their territory. If controlling the border puts illegal immigrants in the hands of organized crime and corrupt officials, then government action loses legitimacy. Hence, the challenge for the Mexican government is to secure the southern border of the country and to regulate migration while guaranteeing the human rights and integrity of migrants.[313]

Scholars, journalists,[314] human rights advocates,[315] and the media have condemned the precarious conditions and vulnerability of illegal immigrants in transit through Mexico.[316] They have attracted the attention of civil society and the international

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[311] Adam Isacson, "US Policy, 'Securitization,' and Migration Along a Dramatically Changed Border," 3, accessed August 12, 2014. http://adamisacson.com/files/1208_CIDE-Ford.pdf.

[312] Raimo Väyrynen, "Illegal Immigration, Human Trafficking, and Organized Crime," WIDER Discussion Papers, World Institute for Development Economics no. 2003/72 (2003): 2.

[313] Armijo, "Los Retos Múltiples de la Diversidad," 51.

[314] Óscar Martínez, *The Beast: Riding the Rails and Dodging Narcos on the Migrant Trail* (New York: Verso, 2013).

[315] Comisión Nacional de Derechos Humanos (CNDH), Informe Especial Sobre el Secuestro de Migrantes en México (February 2011). Accessed August 2, 2014. http://www.cndh.org.mx/sites/all/fuentes/documentos/informes/especiales/2011_secmigrantes_0.pdf

[316] Kimbal, "The Transit State," 92.

community about an issue the Mexican government has barely recognized.[317] According to several reports, more than 50 percent of illegal immigrants are robbed, 33 percent are extorted,[318] and 80 percent of Central American migrant women are sexually assaulted. A disturbing statistic is that at least 1,600 migrants are kidnapped per month in Mexico.[319] In sum, migrants are victims of at least one of the following abuses: theft, physical violence, rape, kidnap, torture, amputation, extortion, exploitation, imprisonment, and murder.[320]

Illegal immigrants make stops along the railroad to rest, taking advantage of migration shelters that offer them essential services and protection. However, organized crime has infiltrated these places to gather information for possible victims of exploitation, extortion, or kidnapping.[321] Furthermore, intelligence reports indicate that organized crime is pressuring shelters to deliver a fixed number of migrants for extortion and exploitation each week. The use of coyotes is a critical factor for illegal immigrants to complete their journey. Restrictive border controls have increased the number of professional smugglers and the necessity to use them.[322] According to different statistics, six out of ten migrants use such services to enter the United States, and 43 percent use them to traverse Mexico.[323] Some experts agree that the smuggling of illegal immigrants has become the most lucrative illegal activity in Mexico after drug trafficking.[324] Coyotes charge thousands of dollars to transport a migrant from Central America to the United States, although the cash does not ensure a safe passage through Mexico. The Zetas

[317] "Informe del Estado Mexicano Sobre Secuestro, Extorsión y Otros Delitos Cometidos Contra Personas Migrantes en Tránsito por Territorio Mexicano," Gobierno Federal, 8, accessed September 2014, http://www.seguridadcondemocracia.org/administrador_de_carpetas/migracion_y_seguridad/pdf/INFORME%20MIGRANTES-CIDH.pdf.

[318] Isacson, Meyer, and Morales, Mexico's Other Border, 17.

[319] Comisión Interamericana de los Derechos Humanos, Derechos Humanos de los Migrantes y Otras Personas en el Contexto de la Movilidad Humana en México. (Organization of American States, December 2013), 55, accessed September 22, 2014. http://www.oas.org/es/cidh/migrantes/docs/pdf/Informe-Migrantes-Mexico-2013.pdf.

[320] Casillas, "Su Vulnerabilidad y la Nuestra," 157.

[321] Ibid., 148.

[322] Kimbal, "The Transit State," 56.

[323] Rodríguez, Berumen, and Ramos, "Migraciones Centroamericanas en Tránsito Irregular," 6.

[324] Grayson, "Mexico's Forgotten Southern Border."

Cartel and the Maras have monopolized the smuggling of Maras, and if coyotes do not pay a fee for each migrant they are hauling, organized crime takes them off and punishes the coyote. Therefore, coyotes are also trying to survive the onslaught of organized crime and to evade apprehension, and they will do whatever is needed to achieve it. They abandon migrants in inhospitable places after being paid, expose them to ambushes where they are kidnapped, or simply receive payment and never show up.[325]

The most brutal scenario is the mass kidnapping of illegal immigrants along the Zetas territory. The modus operandi is quite simple. First, train drivers, sometimes in complicity with criminals, stop the train where heavily armed Zeta members are waiting. Then, they take migrants to safe houses—where they are tortured and abused—to obtain information on their families in the United States to ask for a ransom, which varies between $1,500 and $5,000. [326] Some estimates indicate that the kidnapping of illegal immigrants produces $40 million in profits annually.[327] The purpose of these abductions is mainly to extort the migrants' families in the United States and their countries of origin, but also to recruit them as assassins or workers for safe houses, for prostitution, and for trafficking in organs.[328] Raúl Bringas Nostti explains that the kidnapping of foreigners, which represents less than 1 percent of the total population of Mexico, is 70 percent higher than toward Mexican citizens, demonstrating the vulnerability of migrants to this type of crime.[329] This also proves the incapacity of the government to provide security to migrants.

Mass kidnappings not only happen on the train. In 2008, for example, armed groups entered the immigration checkpoint of San Pedro Tapanatepec, Oaxaca, and

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[325] Kimbal, "The Transit State," 68.

[326] Carlos Barrachia Lisón, Jimmy Ramos Valencia, and Alejandro Monjaraz Sandoval, "Quintana Roo en el Contexto Migratorio Mexicano," in *Viejas y Nuevas Migraciones Forzadas en el Sur de México, Centroamérica y El Caribe*, coord. Enrique Baltar Rodríguez, María da Gloria Marroni, and Daniel Villafuerte Solís (Universidad de Quintana Roo, 2013), 288.

[327] Papademetriou, Meissner, and Sohnen, "Migration and Human Capital," 36.

[328] Solís, "Acciones en Tiempos de Riesgo," 175.

[329] Bringas Nostti, "Los Extranjeros en México," 92.

extracted all women and minors migrants.[330] From 2008 to 2010, at least three cases of organized crime incursions to kidnap migrants were documented in migration stations.[331] Likewise, in June 2008, an armed group intercepted an immigration convoy along the Ocosingo-Palenque highway with 36 illegal immigrants from Cuba, Guatemala, and El Salvador, and kidnapped them.[332] The abduction and murder of 72 Central American illegal immigrants in San Fernando, Tamaulipas, in 2010 marked the breaking point for Mexico to change migration policies.[333] According to the National Commission of Human Rights (CNDH), migration authorities also colluded with organized crime to abduct migrants.[334]

The only government agencies authorized to enforce migration laws are the National Migration Institute and the Federal Police; however, armed forces, local and state police, and even private security from the railroad companies participate in the apprehension of illegal immigrants. This represents fertile land for corruption and human rights abuses. Corruption of migration officials primarily consists of bribes to grant safe passage of illegal immigrants through checkpoints.[335] Furthermore, some migration authorities charged thousands of dollars to allow the passage of traffickers of drugs, weapons, humans, exotic animals, or archeological artifacts.[336] According to a report presented by the Documentation Network of Migrant Advocacy Organizations (Red de Documentación de las Organizaciones Defensoras de Migrantes), migration officials commit bribery against 71 percent of illegal immigrants and robbery against 29 percent.

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[330] "Suman 20 Centroamericanos Levantados en Oaxaca," *El Universal*, accessed September 25, 2014, http://www.eluniversal.com.mx/notas/555138.html

[331] Belén Posada del Migrante, Sexto Informe Sobre la Situación de los Derechos Humanos de las Personas Migrantes en Tránsito por México (2010), 3. Accessed June 10, 2014, http://annunciationhouse.files.wordpress.com/2011/03/sextoinforme-migrantesenme.pdf.

[332] Gonzalo Carrasco González, "La Migración Centroamericana en su Tránsito por México hacia los Estados Unidos," Alegatos no. 83 (January/April 2013): 179.

[333] González-Murphy, *Protecting Immigration Rights*, 6.

[334] Ibid., 114.

[335] Kimbal, "The Transit State," 67.

[336] Grayson, "Mexico's Forgotten Southern Border."

Likewise, the Federal Police commit robbery against 53 percent of migrants, abuse of authority against 19 percent, and physical violence against 2 percent.[337]

Corruption is not exclusive to Mexican migration authorities. In Guatemala, a network of widespread corruption in all migration delegations produces profits from illegal immigrants and temporary workers attempting to enter Mexico.[338] Furthermore, Guatemalan migration officials in charge of receiving the deportees from Mexico, and sending non-Guatemalan citizens to their countries, ask for bribes to register those migrants as Guatemalans, which allows them to restart their journey north from that country.[339] The National Civil Police has also been involved in cases of abuses and briberies against migrants.[340] Along the U.S.–Mexico border, U.S. migration authorities are not exempted from corruption. Between 2005 and 2012, at least 125 Customs and Border Patrol agents were convicted for smuggling illegal immigrants and for corruption.[341] Likewise, at least eight National Guard members have been arrested for the same charges.[342]

Central American illegal immigrants have to travel more than 3,000 kilometers from their home countries to the U.S.–Mexico border. They face a complicated situation in their transit because of organized crime assaults, murder, exploitation, and kidnapping.[343] Furthermore, some migration and security officials in Mexico, Guatemala, and the United States have been implicated in cases of corruption and abuses against

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[337] Red de Documentación de las Organizaciones Defensoras de Migrantes, Informe Sobre las Violaciones a Derechos Humanos y Delitos Cometidos a Transmigrantes Centroamericanos, 55. Accessed October 12, 2014. http://www.flacsi.net/wp-content/uploads/2013/12/Trilog%C3%ADa2.-Delitos-y-violaciones.pdf.

[338] García and Tarrío, "Tensiones entre los Derechos Humanos, Ley y Justicia," 137.

[339] Grayson, "Mexico's Forgotten Southern Border."

[340] Ibid., Grayson, "Mexico's Forgotten Southern Border."

[341] Papademetriou, Meissner, and Sohnen, "Migration and Human Capital," 19.

[342] "Trafica con migrantes la Guardia Nacional," *El Universal*, last updated September 20, 2014, http://www.eluniversal.com.mx/nacion-mexico/2014/trafica-con-migrantes-la-guardia-nacional-1039581.html.

[343] Steven Dudley, "Transnational Crime in Mexico and Central America: Its Evolution and Role in International Migration," in International Migration (Washington, DC: Migration Policy Institute, 2012): 1.

migrants.[344] It leaves illegal immigrants with the paradigm of choosing the lesser evil between corrupt officials or criminals—and sometimes they are one and the same. Then, the vertical border of Mexico has become an area where surveillance, violence, corruption, and hope coexist. What is contradictory is that most of the communities on both sides of the Mexico–Guatemala border have homicide rates below the national average,[345] indicating that the violence is on the migration routes and not on the border itself.

D.   CONCLUSION

The southern border of Mexico is a complex system due to the informal relations between communities on both sides of the border, its geopolitical conditions, and the actors participating on its conceptualization. Therefore, border controls to regulate illegal immigration need to face that complexity. First and foremost, Mexico and Guatemala established the border to delineate each country, but shared culture and economic interdependence made it easy to ignore that fact. Informal movement of people and goods across the borderland give social stability and dynamism to the economy of the region. The southern states of the country have been relegated by the centralism of the government, and closing the border is detrimental for the economic and social stability of the region. This is one of the reasons for the implementation of a vertical border for the regulation of migration, with feeble controls along the border, and tighter ones along transit routes. Furthermore, the number of legal POEs, infrastructure, and processes to allow and regulate border flows is insufficient. It is easier for migrants to pay one dollar to cross the border and save time and bureaucratic complications.

The geographic features of the border facilitate illicit flows through the jungle, mountain roads, and rivers. In contrast, these characteristics complicate its control. Excluding the legal POEs, armed forces are the only federal agencies with a presence along the border, although they do not have the attribution, training, and resources to enforce migration laws. To lessen the adversity implicit in the geography of the border,

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[344] Kimbal, "The Transit State," 81.

[345] Isacson, Meyer, and Morales, Mexico's Other Border, 8.

the Mexican government has oriented its efforts to more manageable areas like the Isthmus of Tehuantepec, a zone in which all migration routes converge. However, the variety of transport methods, the weak presence of the state, and the association of illegal immigrants with other actors deteriorate the enforcement along this belt of control.

The self-reinforcing cycle of measures and countermeasures between the government, organized crime, and illegal immigration complicate the control of the border even more. Security and migration agencies have identified the principal migration routes, and in consequence, have established fixed and mobile checkpoints and detention centers. The setup of these controls, however, is not enough to deter migrants. In contrast, illegal immigrants change routes and hire the service of professional smugglers according to various circumstances and their resources. Usually, they decide to risk themselves, following inhospitable routes that take them to the hands of criminals. Zetas, Maras, local gangs, and coyotes abuse the necessity and illegality of migrants. They steal, extort, rape, traffic, and murder migrants with the complicity of corrupt officials and the indifference of society. The form in which different Mexican administrations have responded to the adaptation of illegal immigrants and the violation of organized crime is described in the following chapter.

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IV. MIGRATION POLICIES AND GAPS

The purpose of this chapter is to identify the gaps between the plans and programs implemented during the last three administrations in Mexico—to regulate illegal immigration on the southern border of the country—and their outcome. Previous chapters described the complexities of Mexico as a transit country, the origin and patterns of Central American illegal immigration, and the challenge to control the border. Also explained were the weak presence of the state, corruption, the lack of protection of illegal immigrants, and the implementation of a vertical border. However, each administration has faced particular contexts at the domestic and international levels, and in consequence, they have defined different priorities and mechanisms to regulate illegal immigration. The assessment of those mechanisms helps to identify three gaps. The first is a discursive gap consisting of the difference between political discourse and the policies and laws enacted. Second is the operational gap that differentiates between plans and programs and their implementation. Finally, the efficiency gap describes the results obtained through the implementation of specific measures to control illegal immigration.

Illegal immigration and borders are *per se* complex systems, and long-term planning to solve transnational problems is difficult; therefore, the approach to analyze specific plans and programs to determine their success in regulating migration and controlling the border is limited. Illegal immigrants are, as Robert Geyer and Samir Rihani explain, "complex persons in a society in which brutal, and often well-intentioned, internal or external decision makers were attempting to impose the impossible: a rigid orderly outcome on an inherently complex adaptive situation." [346] Illegal immigration is not orderly and predictable, and borders evolve according to social, political, economic, and security factors; therefore, the application of reductionist models and causal relations to regulate illegal immigration on the border is destined to fail. Instead, states require the determination of achievable objectives, and the use of soft methodologies that can be continuously evaluated and adapted. Another factor that adds complexity is the

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[346] Robert Geyer and Samir Rihani, Complexity and Public Policy: A New Approach to 21st Century Politics, Policy, and Society (London: Routledge, 2010), 3.

interpretation of illegal immigration as a problem, and in what way it is a problem. For some states and societies, it can be seen as a threat, and for others, as a solution to social and economic concerns. The assessment of three administrations to identify different gaps reduces that limitation.

There are different reports from the Mexican government, international organizations, and non-state actors concluding that the regulation of illegal immigration and the control of the southern border of Mexico are badly broken. Likewise, they identify that closing the border through the use of walls, the criminalization of illegal immigrants, and militarization are not the solution because of the weak presence of the state, low professionalization of migration and security agencies, poor coordination, and corruption.[347] For instance, Natalia Armijo Canto argues that the actions implemented in Mexico to control the southern border of the country have not been reflected in the field because the capabilities and objectives of the different sectors and levels of government have not been harmonized.[348] Therefore, the assessment presented in this chapter is not oriented to identify the hardness of the border; instead, it is oriented to the identification of the coherence between objectives, the implementation of programs, and the results obtained. It means that the management of illegal immigration on the southern border of Mexico is associated with activities of planning, organization, coordination, and control to achieve consistency, capacity, and continuity.[349]

The transition of political parties in power in 2000, the 9/11 terrorist attacks, the war against drugs declared in 2006, international economic crises, the approval of the Mexican immigration reform in 2011,[350] resources form the Merida Initiative,[351] and the

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[347] Isacson, Meyer, and Morales, Mexico's Other Border, 2.

[348] Natalia Armijo Canto, "Frontera Sur de México: los Retos Múltiples de la Diversidad," in *Migración y Seguridad: Nuevos Desafíos de México*, ed. Natalia Armijo Canto (Mexico City: Colectivo de Análisis de la Seguridad con Democracia, Marzo 2011), 48.

[349] Rodolfo García Zamora, "Análisis Descriptivo de las Instituciones Responsables de la Gestión de las Políticas Migratorias en México y Guatemala," FIIAP (December 2011): 7.

[350] "Ley de Migración."

[351] Clare Ribando Seelke and Kristin M. Finklea, "US-Mexican Security Cooperation: The Mérida Initiative and Beyond," *Congressional Research Service*, July 2011, 11, http://fpc.state.gov/documents/organization/170503.pdf.

increment of the defense budget,[352] have changed the narrative of illegal immigration from and through Mexico. Furthermore, Mexico faces the dilemma to resist international pressures from the United States to control its southern border and stop illegal immigration,[353] and from Central American countries to protect their citizens in transit through Mexico, while designing migration laws according to national interests and the exigencies of civil society.[354] Internal political preferences are another important factor to define migration policies in Mexico. For instance, Ernesto Zedillo promoted a vision of Mexico as a country without borders. Vicente Fox fostered restrictive policies to control the southern border of the country and signed the Mexico-U.S. Border Partnership Action Plan in 2002,[355] hoping to negotiate an immigration reform with the United States, but his efforts failed. Felipe Calderón removed migration from the bilateral agenda with the United States.[356] He increased considerably the defense budget,[357] incorporated the armed forces to fight organized crime throughout the country, and continued with the gradual militarization of the border to prevent drug trafficking.[358] Peña-Nieto has opted for a regional and integral approach for the regularization of transit migration and non-interference in the U.S. immigration reform.

Mexico has made attempts to improve the security and management of the border with operations like "Sellamiento" in 1998,[359] "Plan Sur" in 2001,[360] and the "Plan de

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[352] Arturo Alvarado Mendoza and Jorge Zaverucha, "La Actuación de las Fuerzas Armadas en la Seguridad Pública en México y Brasil: Una Visión Comparada," in Seguridad Nacional y Seguridad Interior, ed. Arturo Alvarado and Mónica Serrano (Mexico City: El Colegio de México A.C. 2010), 249.

[353] González-Murphy, *Protecting Immigrant Rights in Mexico*, 21.

[354] Papademetriou, Meissner, and Sohnen, "Migration and Human Capital," 35

[355] Gustavo Mohar, "Mexico-United States Migration: A Long Way To Go," Migration Policy Institute (March 1, 2014), http://www.migrationpolicy.org/article/mexico-united-states-migration-long-way-go.

[356] Raúl Ross Pineda, "Balance y Perspectivas de la Política Migratoria del gobierno de EPN: Notas para la Discusión entre los Mexicanos en Estados Unidos," Observatorio de Legislación y Política Migratoria (January 2014): 1. Accessed October 23, 2004, http://observatoriocolef.org/_admin/documentos/BalyPerspEPN.pdf.

[357] Alvarado and Zaverucha, La Actuación de las Fuerzas Armadas, 249.

[358] Benítez and Rodríguez, "México: la Seguridad Nacional en 2012," 150.

[359] Girón, "La Frontera Guatemala – México," 160.

[360] Grayson, "Mexico's Forgotten Southern Border."

Reordenamiento de la Frontera Sur" in 2008,[361] but with questionable results. In April 2014, the Program for National Security 2014–2018, and the Regional Program for the Development of the South-Southeast 2014–2018 were promulgated in the Official Journal of the Federation (DOF), with the purpose to guide the implementation of the National Development Plan (PND) 2013–2018. These documents, however, do not present clear strategies to manage the southern border of the country. Furthermore, the lines of actions described emphasize the development of infrastructure, the government's intelligence apparatus, and the regional economy, but without a risk analysis, lack of the specificity about tasks, assignment of responsibilities, coordination between objectives, and the model of border to be implemented.

In Mexico, the legal framework for the regulation of immigration is composed of the following instruments: the Political Constitution of the United Mexican States (1917), the Migration Law (2011) and its Regulation (2012), the Nationality Act (1998) and its Regulation (2009), and the General Population Law (1974) and its Regulation (2000). Laura V. González-Murphy and Rey Koslowski analyze the evolution of immigration laws in Mexico including an examination of amendments and proposals for an immigration reform. They explain the national and international factors that have motivated such reforms; these factors include the complex condition of Mexico as a "country of emigration, immigration, refuge, transit, and return migration,"[362] the necessity to enhance the control and security of cross-border flows, to limit the practice of corruption of immigration officials, to protect human rights and integrity of illegal immigrants, external political pressure, and international treaty obligations. Although policies and regulations may be in place, they are often ignored.[363]

This chapter is organized in specific sections for each of the administrations included in the assessment. The first section covers the Vicente Fox government from

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[361] Secretaria de Gobernación, DOF 12–03-2008, http://www.inm.gob.mx/static/Formas_Migratorias/pdf/FMVL.pdf.

[362] Laura V. González Murphy and Rey Koslowski, "Understanding Mexico's Changing Immigration Laws," Woodrow Wilson International Center for Scholars (March 2011): 2. http://www.wilsoncenter.org/sites/default/files/GONZALEZ%20%2526%20KOSLOWSKI.pdf.

[363] González-Murphy, *Protecting Immigrant Rights in Mexico*, 21.

2000 to 2006. The next section includes the Felipe Calderón administration from 2007 to 2012. Finally, the current Enrique Peña-Nieto government is presented. In each section, the same methodology is used, including the description of the context and priorities defined by each administration; then, the three gaps are identified through the analysis of plans, programs, reforms, public statements, and resources assigned. Furthermore, information presented in previous chapters is used to emphasis the results obtained by each administration. Finally, conclusions are presented.

A.   THE REGULATION OF ILLEGAL IMMIGRATION IN THE VICENTE FOX ADMINISTRATION

Migration policies in Mexico, characterized by a low-profile diplomatic position, changed dramatically in year 2000 with the culmination of the transition to democracy in the country. Vicente Fox, as the first president of an opposition party and native of one of the traditional Mexican emigration states (Guanajuato), placed for the first time in the bilateral agenda with the United States the need for a comprehensive migration reform. This proposal included the regularization of undocumented Mexicans residing in that country, temporary-worker programs, the expansion of visa quotas for Mexicans, a joint effort for controlling the border, and the economic fostering of migrant expulsion regions.[364] In December 2000, the U.S. embassy warned Fox that there was no opportunity for the migration reform if Mexico did not stop the flow of Central American illegal immigrants heading to the United States.[365] In consequence, Mexico promised to seal its southern border, offering the restriction to Central American transit illegal immigration as a bargain coin.[366]

In early 2001, Presidents Fox and Bush started high-level discussions to reach a comprehensive migration reform, and the expectation were high until the 9/11 terrorists attacks. In consequence, the Mexico–United States migration relationship shifted from

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[364] Jorge Martínez Pizarro, Migración Internacional en América Latina y el Caribe: Nuevas Tendencias, Nuevos Enfoques (Santiago de Chile: Comisión Económica para América Latina y el Caribe, May 2011), 217.

[365] Grayson, "Mexico's Southern Flank," 59.

[366] Pizarro, *Migración Internacional Nuevas Tendencias*, 217.

integration to the securitization of migration and the strengthening of border controls, subordinating immigration issues to homeland security and anti-terrorist operations.[367] During the Summit of the Americas in 2001, President Bush made reference to the Third Border Initiatives (TBI), recognizing the relevance of Central America and the southern border of Mexico for the security of the United States.[368] In its quest to reach regional integration with North America, Mexico faced the dilemma to harden migration controls on its southern border or to strengthen the historical relations of the southern states of the country with Central American countries.

The Fox administration tried to achieve a balance between its compromise for regional security with the United States, and the economic relations with Central America. Given the need of cross-border trade, and the informal crossing of Guatemalan laborers and border residents to compensate for the lack of socioeconomic development and the weak presence of the state in the region,[369] Mexico did not attempted to enforce the physical southern border of the country.[370] Instead, this administration used a vertical border approach with belts of control and mobile checkpoints to enforce migration controls and simultaneously to give some space for informal border relations. Furthermore, some agreements were signed with Central American countries to share the responsibility to regulate illegal immigrations.[371] Despite the efforts of the Fox administration to maintain a good image of Mexico with Central America, the country was perceived as an ally of the United States and as a checkpoint country (país retén).[372]

1. Discursive Gap

The first gap identifies the distance between the political discourse of the Fox administration and its translation into specific plans, programs, and reforms. The

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[367] Pizarro, *Migración Internacional Nuevas Tendencias*, 217.

[368] Gonzalez-Murphy, "Tackling Southern Turbulence," 145.

[369] Castillo, Toussaint, and Vázquez, Espacios Diversos, Historia en Común,236.

[370] Kimbal, "The Transit State," 55.

[371] Alba and Castillo, *Migration Management in Mexico*, 11.

[372] García and Tarrío, "Tensiones entre los Derechos Humanos, Ley y Justicia," 132.

migration perspective of that administration is evident in public statements and the National Development Plan 2001–2006 that are included in the analysis.

President Fox declared during his election campaign that he would assume a more proactive defense of the rights of Mexican migrants residing in the United States. Likewise, he stated that his administration would not allow further abuses against Central American immigrants in the country, for which he would appoint a czar for the southern border and create the Commission for the Protection of Migrants in the Office of the Presidency under the direct coordination of the National Security Council.[373] As a result of the first high-level talks between Mexican and U.S. authorities, Secretary of the Interior Santiago Creel declared that, in exchange for a U.S. migration reform in favor of Mexicans, the Fox administration was willing and prepared to strengthen its efforts to stop illegal immigrants using Mexico as a platform to reach the United States. He recognized that, in previous administrations, few actions were taken to curb the smuggling of people and drugs on the southern border, and that the control of the border had failed because there was no plan. He announced the channeling of resources to modernize and increase border infrastructure and checkpoints and the participation of the armed forces and the federal police in critical locations such as the Isthmus of Tehuantepec. Finally, Creel explained that the National Migration Institute would be reorganized to increase its professionalism and to eradicate corruption.[374]

To reduce the controversy over the Mexican migration policy, which consisted of the support of Mexican migrants while implementing restrictive practices against Central American migrants—similar to those used by the United States, of which Mexico complained—Commissioner of the National Migration Institute Felipe Preciado declared that Mexico would not do the dirty work of the United States. Instead, he argued that the goal of that policy was to fight the illicit trafficking of drugs, people, and weapons. Another objective was to repatriate Central American illegal immigrants in the south of Mexico to reduce their risks of being harmed while in their transit through Mexico.

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[373] Juan M. Sandoval Palacios, "Plan Puebla-Panama as a Regulating Mechanism for the Migration of Mesoamerican Labor," Profound Rivers of Mesoamerica. Alternatives to Plan Puebla Panama (2004): 16. Accessed October 29, 2014, https://www.academia.edu/7266605.

[374] Sandoval, "Plan Puebla-Panama Regulating Migration," 24.

Preciado stated that the Isthmus of Tehuantepec would be used to maximize the efforts, and that coordination between security agencies in the region would be improved.[375]

In the National Development Plan 2001–2006, the Fox administration established as a priority the need to control the growing illegal trafficking of drugs, people, and weapons on the southern border of Mexico. It emphasized the need to participate in international forums and negotiations to address the structural roots of migration, its manifestations and consequences, and it declared illegal immigration as a shared responsibility. This plan also recognized that economic development and integration between the southern region of the country and Central America could help to combat illegal activities in the region. Furthermore, it recognized that Central American illegal immigrants were subject to abuses, and the National Migration Institute lacked the personal and infrastructure at border points.[376]

The Mexican migration policy promoted by the Fox administration focused primarily on the following points: Facilitate the regulation of undocumented workers whose temporary and definitive destination is the southern states of Mexico, protect the rights of illegal migrants in transit, foster the security of the region, and update the management of migration flows. To implement this migration policy, the Fox administration promoted various plans and programs on the southern border of the country, of which the most important were the following:

- The Southern Plan (Plan Sur), in force between 2001 and 2003.[377]

- Regularization of migrants and temporary-worker programs.[378]

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[375] Manuel A. Castillo García and Gilberto Castañeda Solís, "Evaluación de la Política Migratoria hacia la Frontera Sur de México (2001-2006)," 43. Accessed Septemer 18, 2014. http://observatoriocolef.org/_admin/documentos/polticas%20migratorias%20en%20mxico.pdf

[376] Plan Nacional de Desarrollo 2001–2006, Diario Oficial de la Federación 30–05-2001, 107. Accessed August 10, 2014, http://www.diputados.gob.mx/LeyesBiblio/compila/pnd.htm.

[377] Rodolfo Casillas, "Semblanza de la Frontera Sur de México," in Migración: México entre sus dos fronteras, Foro Migraciones 2000–2001 (México, City, 2002), 26, 8.

[378] International Migration in the Americas (SICREMI), 179, 80. See also, Grayson, "Mexico's Southern Flank," 65.

- The Proposal of Integral Migration Policy for the Southern Border of Mexico.[379]

- Anti-Maras police operations such as Operation Acero.[380]

The main migration regulation in Mexico during the Fox administration was the 1976 General Population Law. This instrument specified that illegal immigration was a crime punished by jail and fines. Furthermore, it declared that the enforcement of migration laws was an exclusive responsibility of the National Migration Institute with support of the Federal Police. This law contained restrictions that made the obtainment of a permanent work visa in Mexico even harder than getting a green card in the United States.[381] However, Central Americans could request a visa to stay in the country for up to thirty days. These restrictions made the General Population Law an absolute instrument for the effective and humanitarian regulation of illegal immigration.[382] During the Fox administration, no reforms were enacted to this law.

International agreements related to the regulation of illegal immigration complemented domestic instruments. For instance, in June 2001, President Fox launched the Plan Puebla-Panama (PPP) to create a development corridor from the Mexican state of Puebla to Panama that would allow the economic growth and integration of the region, and the reduction of incentives to migrate.[383] Likewise, Mexico signed with Central American governments the Agreement for the Dignified, Orderly, and Secure Repatriation of Migrants (2002, updated in 2004 and 2005).[384] In 2002, the Group on Temporary Guatemalan Migrant Workers was created to regulate and support temporary agricultural workers laboring in the southern region of Mexico.[385] With the purpose to improve the security and prevent illicit activities on the border, Mexico, Guatemala, and

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[379] Castillo, "Evaluación Politica Frontera Sur," 43.

[380] Villafuerte, "Mexico in the Age of Globalization," 342.

[381] González-Murphy, *Protecting Immigrant Rights in Mexico*, 43.

[382] Kimbal, "The Transit State," 79.

[383] Grayson, "Mexico's Forgotten Southern Border."

[384] Ibid.

[385] Alba and Castillo, *Migration Management in Mexico*, 12.

Belize created the High-Level Group on Border Security (GANSEF) in 2002.[386] The Program for the Sustainable Development of Border Communities (PRODESFRO) between Mexico and Guatemala proposed the improvement of the control and documentation of migration flows, promoted human rights of migrants, and fostered the economic development of the border communities.[387] Other instruments included the Memorandum of Understanding on Human Rights and the Memorandum of Understanding for the Protection of Women and Minors Victims of Trafficking and Exploitation in the Mexico–Guatemala Border.[388] Moreover, in 2002, Mexico and the United States signed the Smart Border Agreement to strengthen the control of Mexico's southern border and to share information.[389]

In conclusion, the Fox administration was coherent between the political discourse and the definition of programs; therefore, the discursive gap was almost non-existent. The government started with the purpose of protecting the rights of Mexican migrants in the United States and to urge agreements with the United States for an integral migration reform. To achieve that purpose, Mexico was willing to strengthen its southern border to stop illegal immigration from Central America to the United States as a bargaining coin. In addition, this administration was aware of conditions in the region and the necessity to allow informal flows of people and goods in the borderland to alleviate the poor social and economic situation. In consequence, Fox responded with domestic plans and programs as well as international agreements to balance its compromises with the United States, Central America, and the southern states of the country. The Southern Plan and the militarization of the border demonstrated the willingness of the Mexican government to stop Central American illegal immigration in transit to the United States, but maintained flexibility for informality in the region. Furthermore, programs like the Puebla-Panama Project reflected the intention of the

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[386] Espach and Haering, "Border Insecurity in Central America," 10.

[387] Castillo, "Evaluación Politica Frontera Sur," 43, 4.

[388] Garcia, "Análisis Instituciones de México y Guatemala," 28.

[389] González-Murphy, *Protecting Immigrant Rights in Mexico*, 61.

Mexican government to reduce the economic factors of illegal immigration in Central America and foster international cooperation.

The government recognized the vulnerability of Central American illegal immigrants and the abuses and extortions they suffered in the hands of organized crime and state officials. To solve this problem, the Fox administrations proposed the reorganization of the National Migration Institute for training and professionalization in human rights. The government identified as an effective strategy the need to protect the integrity of illegal immigrants during their detention in the southern region of the country. It would prevent abuses in their transit through Mexico. Furthermore, the government signed agreements to repatriate Central American migrants from Tapachula to Guatemala.

The Fox administration was capable of translating political discourse of plans and programs to regulate illegal immigration and control the border. This does not mean, however, that these instruments were developed from a risk assessment, with a systemic approach, and through a planning process that identified the required resources, points of intervention, the adjustment of migration, unintended consequences, and evaluation processes. Furthermore, the efforts of the government were oriented to the detention and repatriation of illegal immigrants, and not to the regulation of migration flows, since the migration laws were not suited for the circumstances.

2. Operational Gap

The second gap identifies the distance between the enactment of plans and programs for the regulation of illegal immigration and their implementation. Three factors are important for the execution of those plans and programs. First, the definition of objectives and the assignment of responsibilities have to be clearly stated. Second, the assignment of resources has to correspond to the objectives and the context of the situation. And third, instruments and procedures are required for the coordination of the agencies involved in the control of the border. To determine the characteristics of this gap, the Southern Plan, the Proposal of Integral Migration Policy for the Southern Border of Mexico, and the Plan Puebla-Panama are used.

The objectives of the Southern Plan were to strengthen inspection activities, fight the trafficking of drugs, weapons, and persons, regulate illegal migrants, foster coordination among migration and security agencies, optimize resources available, and increase the number of illegal immigrant detentions.[390] To achieve these objectives, the Southern Plan considered as strategies an effective interagency coordination between the Secretary of the Interior (SEGOB), the Secretary of Foreign Affairs (SRE), the Attorney General (PGR), the Secretary of Public Security (SSP), the armed forces, and the local governments of Chiapas, Tabasco, Yucatán, Veracruz, and Oaxaca. Furthermore, it included the implementation of belts of control in the southern region of the country, particularly in the Isthmus of Tehuantepec and main migration routes, the strengthening of intelligence operations and information sharing, and the execution of joint operations under the coordination of the National Immigration Institute.[391] Other considerations were the improvement of Beta groups in the region, the construction of migration detention centers, and a program for the expedited repatriation of Central American illegal immigrants.[392] In addition, the Southern Plan considered the reorganization of the National Migration Institute to foster its professionalization and the eradication of corruption.[393]

The Southern Plan stated objectives, strategies, and programs, however, they were broadly defined, and this plan did not designate specific responsibilities, resources, processes for coordination, and metrics for evaluation. The National Migration Institute's role was to coordinate efforts, but it lacked the infrastructure, resources and processes to carry out that responsibility. Each agency participating in the implementation of the plan had its own sectorial program and legal framework from which to support its actions. For instance, the responsibility to enforce migration legislation belonged to the National Migration Institute; customs was the responsibility of the Secretariat of Finance and Public Credit, and the federal and state police were responsible for security as in any

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[390] Barrachina, et al., "Dinámicas Fronterizas del Petén," 279.

[391] Casillas, "Semblanza de la Frontera Sur," 26, 8.

[392] Ibid.

[393] Grayson, "Mexico's Forgotten Southern Border."

other region of the country. Likewise, the armed forces supported the Attorney General to prevent the traffic of drugs and weapons. Therefore, there was no agency responsible for the control of the border, and each one assumed its mission, established checkpoints, and managed their resources individually. Since the plan mixed security and illegal immigration issues, the agencies operating on the border executed activities for which they did not have the authority, resources, and training; furthermore, they acted with an abundance of discretion.

For the implementation of the Southern Plan, the Fox administration designated several financial resources, and expanded the infrastructure for the control of the southern border. For instance, the plan had an initial budget of $11 million to improve migration checkpoints and provide Beta Groups with more personnel and equipment. In addition, other resources were assigned for the repatriation of illegal immigrants.[394] The government established four new legal POEs along the border to facilitate the legal transit of people and goods,[395] built a shelter for unaccompanied migrant children, and established a new detention center in Tapachula with capacity for 15,000 detainees.[396] There is no information available with more detail about the assignment of resources for the implementation of the southern plan, and it is coherent with the lack of specificity for the designation of responsibilities. For instance, in the Expenditure Budget of the Federation for fiscal years 2002 and 2003, approximately $80 million were designated for the development of the southern region of the country and the Puebla-Panama Plan, but there is no information about its distribution. Likewise, $380 million were designated for the Secretary of the Interior, of which the National Migration Institute is part, both there is no information about the financial resources assigned to the Southern Plan.

During the Fox administration, the National Migration Institute had 3,800 employees of whom 125 migration agents were assigned to the southern region of the country. Therefore, the first problem was the weak presence of the agency responsible for

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[394] Grayson, "Mexico's Forgotten Southern Border."

[395] Manuel A. Castillo and Mónica Toussaint, "Seguridad y Migración en la Frontera Sur," in Los Grandes Problemas de México: Seguridad Nacional y Seguridad Interior, coord. Arturo Alvarado and Mónica Serrano (Mexico City: El Colegio de México, 2010), 292.

[396] Castillo, "Evaluación Politica Frontera Sur," 35.

enforcing migration laws on the border. In addition, the level of corruption was considerable. For instance, forty-two current or former agents were arrested for their involvement in human smuggling networks.[397] Magdalena Carral Cuevas, Commissioner of the National Migration Institute since mid-2002, made efforts for the professionalization of the agency and for its modernization. During her administration databases were installed in all the agency's state offices and the Advanced Passenger Information System was developed. To reduce corruption, Carral introduced drug test for agents, the Center for Research and National Security screened them, increased the requirements of education to enter the agency, and raised their salary.[398] Likewise, more personnel were added to the Beta Groups.[399] However, migration commissioners were appointed and replaced for political reasons, producing discontinuity of programs and the reorganization of the National Migration Institute. Commissioner Preciado had no previous experience in migration matters, and even with his efforts to improve the institute, he stayed in office less than two years. Likewise, Carral had no experience in migration, border, or security issues. She lasted less than three years in office, and the programs for the reorganization of the institute were curtailed with her replacement.[400]

The Southern Plan considered as a strategy interagency coordination, but did not specify the instruments and processes to achieve that control. The only statement in this plan was the designation of the National Migration Institute for its coordination. Moreover, since there was no specific budget for its implementation, and each agency used their resources according to their priorities, it was difficult to achieve a complete integration. Each agency installed checkpoints independently, which explains why, in the principal highways of the southern region, it was possible to find several of them, duplicating efforts and wasting resources.

To replace the Southern Plan, the National Migration Institute developed, in 2005, the Proposal of Integral Migration Policy for the Southern Border of Mexico as a result of

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[397] Grayson, "Mexico's Southern Flank," 62.

[398] Ibid., 61, 2.

[399] Grayson, "Mexico's Forgotten Southern Border."

[400] Grayson, "Mexico's Southern Flank," 63.

three forums called "Toward a Comprehensive Immigration Policy in the Southern Border of Mexico" held in Tapachula, Chiapas. Although it was not formalized, this proposal became a substantive element of Mexico's migration policy.[401] The proposal identified four strategies: first, the facilitation of legal migration flows to the southern states of the country; second, protection of the rights of illegal immigrants; third, fostering of the security of the border; fourth, actualization of the migration laws and processes for the management of migration. Specifically, it included temporary-worker programs, the implementation of repatriation programs, cooperation networks with non-state actors and the civil society, and the reinforcement of border controls and actions against human trafficking. Furthermore, it proposed the strengthening of the National Migration Institute in issues related to human rights, the eradication of corruption, the modernization of information systems for the management of migration, and processes for the evaluation of programs and projects related to migration.[402]

The proposal delineated strategies and objectives for the regulation of migration and the control of the border. They were oriented to the National Migration Institute through the awareness on human rights, legal, and logistical processes regarding illegal immigrants; however, these strategies were not specific, provision on security issues were not considered, and responsibilities to other agencies related to migration and border security were excluded. There is no possible way to determine why this proposal was not implemented, but it set the precedent for future migration reforms and processes.

In June 2001, the Fox administration launched the Puebla-Panama Plan.[403] Its purpose was to create a corridor of development with the construction of highways, airports, ports, energy production, telecommunications, and infrastructure required for the development of the region.[404] The objectives of the plan were the raising of the level of human and social development of the region, the modernization of institutions, the achievement of structural changes within the economy, the promotion of productive

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[401] Castillo, "Evaluación Politica Frontera Sur," 43.

[402] Ibid., 45.

[403] Grayson, "Mexico's Southern Flank," 64, 5.

[404] Grayson, "Mexico's Forgotten Southern Border."

investments to generate jobs, and to promote the integration of the southern region of Mexico with Central America.[405] This plan did not serve as a catalyst to strengthen the development of the region for several reasons, including insufficient funding, lack of support and even outright opposition from some sectors of civil society, distrust between Mexico and Central American governments, regional disputes for resources, and discontinuity in the leadership of the plan.[406] From the ambitious projects proposed, including a refinery, the only accomplishments were the establishment of an electricity connection between Mexico, Guatemala, and Belize, and the construction of a highway between Honduras and Guatemala.[407]

3.   Efficiency Gap

This gap is related to the effectiveness of the plans and programs to regulate illegal immigration on the southern border of Mexico. Observations from previous gaps illustrate that objectives, strategies, and responsibilities were not clearly stated, and that there was a lack of resources, organization, and coordination to apply effectively the plans and programs proposed. However, an analysis of their application is relevant to determine deficiencies that prevented their proper operation and the achievement of objectives.

The major problem in determining the effectiveness of plans and programs during the Fox administration is that the migration policy, objectives, and evaluation processes were not specific, and security issues eclipsed migration concerns. Armijo-Canto explains that the immigration controls implemented during this administration were a chip in the bargaining game to obtain a U.S. migration reform for the benefit of Mexicans.[408] Therefore, the purpose was control and restriction of transit illegal immigration, and not its prevention and regulation.[409] It was clear that the Mexican government bent to the

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[405] Sandoval, "Plan Puebla-Panama Regulating Migration," 18.

[406] Raúl Benitez Manaut, "La Seguridad Nacional en la Indefinida Transición: Mitos y Realidades del Sexenio de Vicente Fox," Foro Internacional XLVIII no. 1–2 (January-June 2008): 195.

[407] Grayson, "Mexico's Southern Flank," 64, 5.

[408] Kimbal, "The Transit State," 43, 4.

[409] Ibid., 78.

securitization of migration and the integration of the country with North America with actions like the incorporation of the National Migration Institute to National Security Council in 2005.[410] This vision was highly criticized by domestic and international actors,[411] and it was not clear enough to build state capacity and coordination for the regulation of migration and the control of the border.[412]

The Fox administration was not capable of defining what the country wanted and needed in terms of migration dynamics. The strengthening of the National Migration Institute, operations to secure the border, the enactment of temporary-worker and regularization programs, and the establishment of international agreements were indications of a migration policy toward the southern border of the country, but these efforts were not consolidated.[413] Economic, social, political, and security factors were not integrated into a formal migration policy; instead, the tolerance of the Fox administration for informal flows of people and goods through the border gave too much discretion for the commitment of abuses against illegal immigrants.[414]

The Southern Plan lacked the integrality, resources, and transversal coordination among agencies and non-state actors required to attend to migration as a social, economic, political, and security phenomena. Its planning and implementation ignored social relations between border communities and the incentives for Central Americans to reach the United States for family reunification. The temporary-worker and regularization programs oriented to integrate migrants to economic activities in the southern states of the country did not have the proper publicity and acceptance.[415] The legal framework to give certainty to illegal immigrants and agencies was obsolete and there were no attempts for its reform during the Fox administration.[416] Lack of budgetary, human, and

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[410] Alba and Castillo, *Migration Management in Mexico*, 6.

[411] Kimbal, "The Transit State," 85.

[412] Armijo, "Dinámica Fronteriza México-Belice," 235.

[413] Castillo, "Evaluación Politica Frontera Sur," 8.

[414] Ibid., 29.

[415] Grayson, "Mexico's Forgotten Southern Border."

[416] Kimbal, "The Transit State," 79.

infrastructure resources of the agencies involved in the application of plans and programs, and the intensification of illegal immigration flows complicated the regulation of migration and the control of the southern border.[417] The geographic characteristics of the border, and the diversity of transportation complicated the implementation of controls. Furthermore, Mexico, as a primary emigration country, did not have the experience and resources to regulate transit migration.[418]

As described in Chapter II, the number of detentions from 2001 to 2006 raised to an average of 184,269 persons per year. In contrast, between 1994 and 2000, this average was 65,508 detentions.[419] As explained before, detentions cannot be interpreted as a success of migration plans and programs because Central American illegal immigrants were deported from Tapachula to Guatemala, and then started their migration north again. Therefore, migrants are detained several times, adding to the statistics. Likewise, a reduction of detentions does not necessarily mean that a specific strategy is working to deter illegal immigrants; instead, it could indicate that they adapted routes and strategies to evade migration controls. Furthermore, a lack of evaluation parameters makes it difficult to determination the degree of compliance of plans and programs.[420]

The securitization of migration and the militarization of the border under the Fox administration produced more detentions, but they also produced human rights violations,[421] corruption, and dislocation with Central America.[422] Restrictive measures pushed illegal immigrants to inhospitable routes and to resort more frequently to using professional smuggling networks, thus increasing the physical and economic vulnerability of migrants, and strengthening illicit activities.[423] The Southern Plan defined the Isthmus of Tehuantepec as the perfect point of intervention because the flows

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[417] Castillo, "Evaluación Politica Frontera Sur," 29.

[418] Kimbal, "The Transit State," 16.

[419] García and Tarrío, "Tensiones entre los Derechos Humanos, Ley y Justicia," 142.

[420] Castillo, "Evaluación Politica Frontera Sur," 44.

[421] García and Tarrío, "Tensiones entre los Derechos Humanos, Ley y Justicia," 144, 5.

[422] Ibid., 162.

[423] Ángeles Cruz, "Las Migraciones Internacionales," 470.

of migrants were forced to cross that demarcation; however, organized crime also identified and exploited the same area to offer their services, and to exploit and assault illegal immigrants. Likewise, illegal immigrants used social networks, the service of smugglers, corrupt officials, and unsupervised routes to continue their migration north because the incentives to leave their country and reach the United States were not reduced. Finally, civil society did not ask for a closed border and the detention of illegal immigrants.[424] An effective application of the top-down migration policy of restriction offered few political gains. Also, after the 9/11 terrorist attacks, a U.S. migration policy to benefit Mexicans was out of negotiations and the incentives of the government to regulate illegal immigration were even less.

B. THE REGULATION OF ILLEGAL IMMIGRATION IN THE FELIPE CALDERÓN ADMINISTRATION

Felipe Calderón became President of Mexico under different circumstances than those of Vicente Fox. The 2006 election was the most competitive in Mexican history, with a difference of 0.58 percent between the National Action Party and the Democratic Revolution Party.[425] The post electoral conflict set by the opposition threatened the stability and the legitimacy of the new government. Different authors explain that, as a strategy to gain public support and the consolidation of the government, Calderón declared a war against organized crime.[426] It produced an initial replacement of migration for security as the leading concern of Mexico and for its bilateral relations with the United States. However, the spillover of violence into Mexico and Central America, and the economic crisis of 2008, produced new patterns of migration that brought the topic back for discussion. For instance, from 2005 to 2010, voluntary returned migration of

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[424] Kimbal, "The Transit State," 36.

[425] "Conteo Rápido, PREP y Cómputos Distritales: Comparativo de Resultados 2000–2006," Instituto Federal Electoral (July 2006), accessed September 20, 2014. http://www.ine.mx/docs/IFE-v2/CDD/CDD-Varios/docs/2006_ComparativoResultadosElectorales.pdf

[426] Sonja Wolf, "La Guerra de México Contra el Narcotráfico y la Iniciativa Mérida: Piedras Angulares en la Búsqueda de Legitimidad," *Foro Internacional* 206, No LI (2011): 685, 6.

Mexicans was greater that the flow of illegal immigration to the United States,[427] and transit migration from Central America to the United States increased dramatically.[428] Therefore, the Mexican government faced the dilemma of implementing border security measures against organized crime and, simultaneously, actions to regulate and protect transit migrants.

The Calderón administration prioritized national security concerns and the fight against organized crime, expanding the presence of security agencies and the armed forces along the southern border. Likewise, this administration made attempts to improve the management of the border and migration flows through the modernization of institutions and infrastructure, regularization programs, and the implementation of new types of visas.[429] The Fox administration offered to close the border in exchange for migration reform in the United States, but got nothing in return; with Bush still in office, it offered poor incentives for Calderon to continue with restrictive measures that proved to be ineffective. The degradation of security throughout Mexico reached the southern border of the country and the migratory routes. Its effects were worst over illegal immigrants because of their vulnerability and the lack of government preparedness to attend this new phenomenon. The abuses and violations of illegal immigrants attracted the attention of non-state actors that complained against the government to adopt a new migration policy based on humanitarian principles.

Considering migration policy, the Calderon administration did not have the leverage to negotiate an immigration reform with the United States that would give it more freedom on deciding the border model to be implemented. Initially the administration considered that Central American illegal immigration was particularly for economic reasons, and it proposed measures oriented to foster economic development

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[427] Jeffrey Passel, D'vera Cohn, and Ana Gonzalez-Barrera, "Net Migration from Mexico Falls to Zero – and Perhaps Less," *Pew Hispanic Center* (2012), 7, accessed September 19, 2014. http://www.pewhispanic.org/files/2012/04/PHC-04-23a-Mexican-Migration.pdf.

[428] Leticia Calderón Chelius, "Cambios en la Agenda Migratoria: Entre el Nuevo Marco Jurídico y las Nuevas Formas de Migración en México," in México ante los Recientes Desafíos de la Migración Internacional, coord. Telésforo Ramírez García and Manuel A. Castillo (Mexico City: Consejo Nacional de Población, 2012), 21.

[429] Alba, "Mexico: The New Migration Narrative."

and provide more opportunities to regional migrants. However, violence related to Mexican Transnational Organized Crime Groups and Central American gangs produced forced migration that could not be solved by closing the border or through regularization and temporary-worker programs. As described in the following sections, the Calderon administration proposed a plan to bring legality and opportunities to the southern region of Mexico, but when the fight against organized crime was set as a priority, it eclipsed most of the border reordering efforts.

1. Discursive Gap

The first gap identifies the distance between the political discourse of the Calderón administration and its translation into specific plans, programs, and reforms. The migration perspective of that administration is evident in public statements and the National Development Plan 2006–2012. For instance, on December 14, 2006, in a visit to the southern region of the country, President Calderón announced the implementation of a plan for the security of the border that would consist of the regularization of the migratory status of border residents and the establishment of Joint Operation Units (Unidades Mixtas). These organizations would be conformed by elements of the Federal Police, National Migration Institute, and the Chiapas Border Police.[430] Likewise, he declared in a press conference at a Plan Puebla-Panama summit in 2007 that his government would foster border security, processes to facilitate legal migration flows, and the modernization of infrastructure and migration laws.[431] He affirmed that it was possible to establish a secure border and simultaneously protect migrants.[432]

The Calderón administration made a distinction between border security and the regulation of migration. It ordered the implementation of specific measures for the

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[430] "Anuncia Calderón que la Frontera Sur Será Cerrada a la Delincuencia," La Jornada, accessed September 24, 2014, http://www.jornada.unam.mx/2006/12/15/index.php?section=politica&article=016n1pol.

[431] Daniel Villafuerte Solís and María del C. García Aguilar, "La Doble Mirada de la Migración en la Frontera Sur de México: Asunto de Seguridad Nacional y Palanca de Desarrollo," Liminar. Estudios Sociales y Humanísticos V No 2 (July-December 2012): 29, accessed August 12, 2014, http://www.redalyc.org/articulo.oa?id=74511236003.

[432] "Lanzan para Frontera Sur un Plan de Seguridad," *El Universal*, accessed September 24, 2014, http://www.eluniversal.com.mx/nacion/146590.html.

control of the border as the Joint Operation Units that would serve to provide security and control of migration flows. For the regulation of migration flows, President Calderón established new types of visas, temporary-worker programs, and promised measures to punish corruption and abuses against migrants.[433] He also made clear that the reordering of the border was designed to increase the security of the region and to fight organized crime because security was a higher priority.[434] Likewise, Commissioner of the National Migration Institute Salvador Beltrán del Río commented that the reordering of the border was not oriented to suppress or secure migrants, if not to improve the management of the border and to regulate and protect migration flows from corruption and organized crime.[435] These statements were the prelude for the subordination of migration issues to security concerns.

The Mexican Congress also manifested its vision of security and migration. Some Senators declared that national security demanded the protection of the sovereignty and integrity of the country from internal and external threats; however, they did not identify migration as national security issue. In contrast, they argued that because of the characteristics of migration flows and their socioeconomic impact in the country, they had to be seen as an opportunity for regional development and not as a risk for national security.[436] Congress played a fundamental role in the regulation of migration with the reform of the General Population Law in 2008 and the enactment of the Migration Law in 2011. Therefore, the Mexican Congress was consistent between its arguments and its actions.

The National Development Plan 2007–2012 included for the first time clauses for the reordering of the Mexican borders and for the protection of illegal immigrants. For this purpose, the plan distinguished between migration management and border security,

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[433] El Universal, "Lanzan para frontera sur."

[434] Ibid.

[435] "Preparado Beltrán del Río para Comparecer ante Permanente," Instituto Nacional de Migración, accessed September 24, 2014, http://www.inm.gob.mx/index.php/blog/show/Preparado-Beltrán-del-R%C3%ADo-para-comparecer-ante-Permanente.html.

[436] Senado de la República LXI Legislatura, Gaceta 369 (March 28, 2012), accessed October 12, 2014, http://www.senado.gob.mx/index.php?ver=sp&mn=2&sm=2&id=34584.

describing specific objectives and strategies for each of those activities.[437] For instance, paragraph 1.9 Border Security explained that borders must be doors for development and not for illegal activities, and that it was possible to enforce the law and simultaneously to protect human rights.[438] It proposes as strategies the integration of Joint Units with the cooperation of the armed forces to guarantee the security at the borders and the protection of migrants from organized crime. It also aims at the creation of communication channels to share information and strategies with neighbor countries to improve the regulation of migration flows and the eradication of organized crime and terrorism in the region.[439]

For the regulation of migration, paragraph 5.9 Mexicans in the Exterior and Migration identified the need to promote the protection of Mexican emigrants and to offer the same protection to immigrants in the country. The objectives defined for the regulation of migration were the construction of a new migration culture directed to reduce the incentives to migrate through economic development instead of restrictive measures. The strategies described include the implementation of the Plan for the Reordering of the Southern Border of Mexico, whose purpose was the establishment of legal channels and programs to improve the movement, documentation, and protection of migrants in the region, the reduction of migration incentives for illegality, and the regularization of their migratory status.[440]

The Calderón administration was consistent in translating public statements into the National Development Plan 2007–2012 and in implementing specific measures to secure the southern border of Mexico and regulate migration flows. The best examples are the implementation of the Plan for the Reordering of the Southern Border of Mexico, creation of the Joint Operation Units, establishment of the Migration Form for Border Workers (FMTF), modernization of border infrastructure, reforms to the General Population Law in 2008, and enactment of the Migration Law in 2011. Furthermore, the

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[437] Plan Nacional de Desarrollo 2007–2012, Diario Oficial de la Federación 31–05-2007, 69, accessed August 10, 2014, http://www.diputados.gob.mx/LeyesBiblio/compila/pnd.htm.

[438] Plan Nacional de Desarrollo 2007–2012, 70.

[439] Ibid.

[440] Ibid., 305, 7.

Mexican government increased its international cooperation with the enactment of instruments such as The Mérida Initiative and "Beyond Mérida,"[441] the strengthening of the High Level Groups on Border Security (GANSEF) with Guatemala, Belize, and Honduras,[442] and the continuation of the Plan Puebla-Panama, renamed the Mesoamerican Project.[443]

2. Operational Gap

The second gap represents the distance between the enactment of plans for the regulation of illegal immigration along the southern border of Mexico and their implementation considering the clear statement of objectives and strategies, the assignment of resources, and the coordination of efforts. For the assessment of this gap, the Plan for the Reordering of the Southern Border of Mexico is used as point of reference. The Performance Reports of the Calderón administration are used as sources of information to determine the implementation of the migration policies of Mexico. Furthermore, an analysis of migration reforms is included, since they changed the essence of policies and plans.

a. *Objectives and Strategies*

Mexico has made efforts to address the problems of its southern border, and it has changed its plans and programs according to domestic and international contexts. Government efforts started in 2001 with the implementation of the Southern Plan, but the results to regulate illegal immigration and to promote a U.S. migration reform failed, and the plan ended in 2003. The next antecedent was the Proposal of Comprehensive Immigration Policy for the Southern Border of Mexico released in 2005. This proposal included as objectives the facilitation of regional migration flows, the Protection of migrants' rights, the strengthening of border security, and the modernization of migration management processes. The proposal was not implemented, but it served as a model for the definition of the migration policy of the Calderon government. The Plan for the

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[441] Papademetriou, Meissner, and Sohnen, "Migration and Human Capital," 20.

[442] Gonzalez-Murphy, "Tackling Southern Turbulence," 155.

[443] Alba and Castillo, *Migration Management in Mexico*, 13.

Reordering of the Southern Border of Mexico was launched on December 15, 2006, just two weeks after President Calderon took office. The strategies defined in the plan included initiatives to respect and protect the rights of migrants, promote economic development in labor regions, and improve the quality of services and migration management.

In a general sense, the Calderón administration was capable of developing, for the first time in Mexico, a specific plan for the management of the southern border of Mexico. It distinguished the need to secure the border and, simultaneously, the responsibility to manage and protect the increasing flows of Central American illegal immigrants directed to Mexico and the United States. The objectives and strategies were broadly defined; however, they represented a guide for migration and security agencies to implement programs and coordinate efforts toward common goals. Resources and instruments implemented to accomplish migration policies are assessed in the next section.

b.   Resources

After the determination of plans and policies to regulate illegal immigration and their objectives, the next step is the assignment of resources. For instance, the National Migration Institute in 2006 was approximately $150 million, and in 2011 it was $272 million.[444] In addition, this institute obtained resources from migration fees, which from 2006 to 2011, accumulated $1,850 million.[445] Therefore, the assessment of resources for the regulation of illegal immigration is difficult because the National Migration Institute does not have a fixed budget. Likewise, there is no available information about how the budget is expended. The Fundar Research and Analysis Center presented an assessment of the 2011 budget of the National Migration Institute, and it concludes that 82 percent is used for the management of migration, 11 percent for migrant protection programs, 6 percent for the maintenance of infrastructure and repatriation programs, and 1 percent for

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[444] Instituto Nacional de Migración, "Informe de Rendición de Cuentas 2006–2012," Secretaría de Gobernación, accessed October 12, 2014. http://www.inm.gob.mx/static/transparencia/ rendicion_de_cuentas/IRC_INAMI.pdf, 70.

[445] Ibid., 73.

the support of migrants.[446] Despite the contributions and novelty of this report, there is no additional information about other years and agencies to conclude that financial resources are efficiently allocated and spent. In addition to the assignment of resources, the government provided legal tools and designed programs for the regulation of illegal immigrants, which are assessed in the next section.

(1)   Regularization and Protection

The Calderón administration understood that economic factors produced Central American illegal immigration, and for that purpose it created and updated instruments to facilitate the legal entrance and residency of migrants in the southern region of the country. The Migratory Form for Border Workers (FMTF) was implemented to allow Guatemalan temporary workers to work in the states of Chiapas, Tabasco, Campeche, and Quintana Roo for up to one year. The Local Migratory Form for Visitors (FMVL) gave access to border residents to 72 cities in the states of Chiapas, Tabasco, and Campeche for up to three days. The government also implemented the Program for the Regularization of Migrants from 2007 to 2011.[447] To protect the integrity and dignity of migrants, the Calderón administration continued with the repatriation of Central American illegal immigrants to Guatemala under the Memorandum of Understanding for the Orderly, Dignified, Agile and Safe Repatriation from Mexico to Guatemala, El Salvador, Honduras and Nicaragua.[448]

For the protection of migrants in transit to Mexico, the Calderon administration expanded the Beta groups on the southern border to rescue migrants from dangerous situations and to provide them information, judicial support, medicines, and food. The activities have caused controversy because some critics argue that Mexico is encouraging

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[446] Rodolfo Córdova Alcaraz, "Una Mirada al Presupuesto del Instituto Nacional de Migración: ¿Dónde Estuvieron Sus Prioridades Durante el 2011? Fundar, Centro de Análisis e Investigación, A.C. (2013): 7, accessed October 12, 2014, http://observatoriocolef.org/_admin/documentos/INM2011.pdf.

[447] "Plan Nacional de Desarrollo 2007–2012: Primer Informe de Ejecución 2007," Gobierno de los Estados Unidos Mexicanos (March 2008): 409. Accessed October 01, 2014, http://pnd.calderon.presidencia.gob.mx.

[448] "Plan Nacional de Desarrollo 2007–2012: Tercer Informe de Ejecución 2009," Gobierno de los Estados Unidos Mexicanos (March 2010): 711, Accessed October 03, 2014, http://pnd.calderon.presidencia.gob.mx.

illegal immigration. However, because of distrust, illegal immigrants are reluctant to accept the help of Beta agents and other Mexican authorities.[449] In 2007, as a result of the considerable increment of unaccompanied children migrants in transit to Mexico, the government implemented another humanitarian group, the Officers for the Protection of Infant Migrants (OPIS). In addition, the National Migration Institute established the Model for the Protection of Rights of Unaccompanied Children and Adolescents. This model was considered as a successful practice and has been replicated in Central America.[450] For instance, OPI officials in 2011 assisted 2,717 unaccompanied foreign children.[451]

The Calderon administration took an important step in updating the legal framework for the regulation of migration in the country. Since 2006, the government implemented new detention procedures that included a voluntary repatriation program to accelerate the repatriation of migrants.[452] The government also promoted the amendment of the General Population Law on various occasions. The 2008 reform decriminalized illegal immigration, which had contemplated a punishment of up to ten years of prison and a fine.[453] In 2009, a provision was included for the creation of the National Council of Population, and, in 2010, penalties against migrant smugglers and their accomplices were increased to up to 16 years of prison.[454]

The most important reform occurred in May 2011 with the enactment of the Migration Law. Civil society and Central American governments had been pressuring the Mexican government to protect illegal immigrants from abuses and violations on its transit to Mexico. But it was only after the massacre of 72 Central American illegal

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[449] "Plan Nacional de Desarrollo 2007–2012: Cuarto Informe de Ejecución 2010," Gobierno de los Estados Unidos Mexicanos (March 2011): 95, Accessed October 03, 2014, http://pnd.calderon.presidencia.gob.mx.

[450] "Plan Nacional de Desarrollo 2007–2012: Sexto Informe de Gobierno," Gobierno de los Estados Unidos Mexicanos (March 2012): 757, Accessed October 12, 2014, http://calderon.presidencia.gob.mx/informe/sexto/sexto_informe.html.

[451] González-Murphy, Protecting Immigrant Rights in Mexico, 60.

[452] Alba, "Mexico: The New Migration Narrative."

[453] Gonzalez-Murphy and Koslowski, "Understanding Mexico's Changing Migration Laws," 13.

[454] Solís, "Acciones en Tiempos de Riesgo," 173.

immigrants in San Fernando, Tamaulipas, in August 2010 that Congress and President Calderón took those demands seriously.[455] The guiding principles of the Migration Law are respect for migrants' rights, equality between Mexicans and migrants, shared responsibility with other nations, ease of population movement that is both orderly and secure, congruence with regional labor markets, and family reunification.[456] These principles are consistent with the foreign policy of the Calderón administration related to the protection and regularization of Mexican migrants in the United States.

The Migration Law gives a framework to the National Migration Institute to regulate migration for the developing of strategies. However, this institution must refine its processes and train its personal for the application of the Migration Law and its regulation. Francisco Alba argues that "it is not yet possible to judge the full range of the law's impacts, given the law's broad objectives."[457] Other authors agree that the law provides more protection to migrants, but it is extremely general to regulate migration, leaving a gap that can lead to discretion and corruption.[458] However, it represents the recognition of Mexico as a transit country and the responsibility it has to control its border and simultaneously to protect and regulate illegal immigration. The major criticism of the Migration Law is its lack of protection for transit migrants.[459] The implementation of humanitarian or transit visas could have provided protection and certainty to these flows, but it was against the foreign policy and relations of Mexico.

(2)   Institutions

For the strengthening of the National Migration Institute as the responsible agency for the enforcement of migration laws, the Calderón administration considered the

[455] Maureen Meyer, "Un Trayecto Peligroso por México: Violaciones a Derechos Humanos en Contra de los Migrantes en Tránsito," Oficina en Washington para Asuntos Latinoamericanos (December 2010): 7, accessed August 10, 2014, http://www.wola.org/sites/default/files/downloadable/Mexico/2010/TrayectoPeligroso.pdf.

[456] González-Murphy, Protecting Immigrant Rights in Mexico,, 110.

[457] Alba, "Mexico: The New Migration Narrative."

[458] González-Murphy, Protecting Immigrant Rights in Mexico,, 116.

[459] María da Gloria Marroni, "Capital Social, Redes Migratorias y Ayuda Humanitaria: ¿La Solidaridad a Prueba en el Tránsito de Latinoamericanos por México? in *Viejas y Nuevas Migraciones Forzadas en el Sur de México, Centroamérica y El Caribe*, coord. Enrique Baltar Rodríguez, María da Gloria Marroni, and Daniel Villafuerte Solís (Universidad de Quintana Roo, 2013), 156.

modernization and increase of infrastructure and the implementation of manuals and information systems. For instance, on January 29, 2010, the government published the Manual of Migration Criteria and Procedures (MCTM), whose objective was the simplification of migration processes and the use of technology. For this purpose, the National Migration Institute launched the Electronic System for Immigration Procedures (SETRAM) to manage and generate real-time information of migration records.[460] The government made efforts to increase migration facilities and modernize others for providing a more efficient and dignified service. For example, it implemented the Program for the Dignity of Migration Stations. Through this program, 2007 saw the construction of two migration stations in Janos, Chihuahua and Acayucan, Veracruz, and 10 others were remodeled.[461] In 2011, the Calderon government had in operation 35 detention centers and 23 temporary stations with the capacity to accommodate 4,300 people simultaneously.[462]

To improve the execution of its functions, the National Migration Institute fostered the professionalization of its members and a culture of service and honesty. Migration agents received training from national and international organizations to serve as Officials for the Protection of Infant Migrants.[463] Furthermore, the institution created a permanent program for training in human rights issues, the Migration Law, and processes to prevent and address the migrant victims of trafficking, kidnapping, and other crimes. In 2011, several courses were offered with the participation of 17,072 public servants.[464] In addition to training, the institute made significant efforts to eradicate corruption.

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[460] Cuarto Informe de Ejecución 2010, 754.

[461] Primer Informe de Ejecución 2007, 411.

[462] "Plan Nacional de Desarrollo 2007–2012: Quinto Informe de Ejecución 2011," Gobierno de los Estados Unidos Mexicanos (March 2012); 798. Accessed October 15, 2014. http://pnd.calderon.presidencia.gob.mx/pdf/QuintoInformeEjecucion/5_9.pdf.

[463] "Plan Nacional de Desarrollo 2007–2012: Segundo Informe de Ejecución 2008," Gobierno de los Estados Unidos Mexicanos (March 2009); 549. Accessed October 12, 2014. http://pnd.calderon.presidencia.gob.mx/pdf/SegundoInformeEjecucion/1_9.pdf.

[464] "Refuerza el INM la Protección de los Derechos del Migrante," Secretaría de Gobernación, February 17, 2011. http://www.inm.gob.mx/index.php/blog/show/Refuerza-el-INM-la-protección-de-los-derechos-del-migrante.html

(3) Economic programs

The Calderon administration identified economic factors as the principal incentive for Central American illegal immigrants to leave their countries. In consequence, this government launched several programs to improve the economic conditions of the region and the level of life in migrant expulsion regions. For instance, the Program for the Creation of Employment in Marginal Zones (PCEZM) under the control of the Secretary of Economy fostered the economic development of the region through the granting of resources for infrastructure in marginal areas. Under this project, $17 million were provided for productive projects in the states of Chiapas, Estado de México, Guanajuato, and Oaxaca y Yucatán, which would allow the creation of 4,168 new jobs.[465]

The government also continued with the Plan Puebla-Panamá, renamed as The Mesoamerican Project. The purpose of this program was the integration and economic development of the region with the implementation of productive programs and infrastructure. The governments of the region affirmed that better opportunities in migrant expulsion regions would contribute to the security of borders and the reduction of illegal immigration.[466] The areas of interest of the project were trade facilitation and competitiveness, energy integration, telecommunications, health, environment, and housing. The only concrete projects have been an electric interconnection between Mexico and Guatemala, the Mesoamerican Public Health System (SMPS), and the Central American Social Housing Development Program. There are, however, no specific reports on these projects and how each contributed to reduce illegal immigration.

(4) Coordination

The Calderon administration identified the need to coordinate efforts to control the border and provide protection to illegal immigrants entering and crossing the country. For instance, the government ordered the integration of the Joint Operation Units with the participation of the General Attorney's Office, the Federal Police, the Secretary of the Interior, the National Migration Institute, state police corporations, and the collaboration

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[465] Tercer Informe de Ejecución 2009, 713.

[466] Espach and Haering, "Border Insecurity in Central America," 12.

of the armed forces. The purpose of these units was to secure the border and provide protection to the inhabitants of the border region and illegal immigrants.[467] The government tried to coordinate the efforts of agencies with different responsibilities such as combating crime, protecting national security, and regulating migration for border control and the protection of migrants. Security agencies were absorbed in combating organized crime, and their training in migration regulations and humanitarian issues was not the best; therefore, security and migrant protection efforts became complicated.

Despite the distinction that the government tried to make, security always took precedent over migration issues. For instance, on April 15, 2011, at the headquarters of the Mexican Navy, a conference of the High-Level Group for the Mexico–Guatemala–Belize Border to place, with the assistance of the Secretary of Foreign Affairs, CISEN, the National Migration Institute, representatives of the Armed Forces of Mexico, Guatemala and Belize, and the commanders of the U.S. Northern and Southern Commands. The purpose of the meeting was the presentation of the realities of the Southern Border of Mexico and the discussion of the regional responsibility in matters of shared border and national security strategies of the countries involved.[468] Therefore, migration became part of security, and not a humanitarian and regional integration issue.

The Calderon Administration ordered the coordination among security and migration agencies for the control the border and to regulate migration, but there was no body or authority completely responsible for the execution and supervision of these missions. Therefore, cooperation and coordination was a matter of will and not an obligation. The annual reports of the execution of the National Development Plan contain the results of individual and joint operations of security agencies. For instance, according to the annual report of 2008, the Federal Police performed joint operations with local authorities that resulted in the handing over of 6,816 illegal immigrants to migration authorities.[469] In the 2011 annual report, the Federal Police reported the detention of 2,463 illegal immigrants in border states, but did not specify the coordination with other

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[467] Primer Informe de Ejecución 2007, 57.

[468] Quinto Informe de Ejecución 2011, 110.

[469] Segundo Informe de Ejecución 2008, 64.

agencies.[470] Furthermore, none of the six reports presented by the Calderon administration included specific results from the Joint Operation Units that would be the operative body of the border security strategy.

The coordination between security agencies and the armed forces occurred basically for combating organized crime. The Army and the Navy executed patrols in urban areas with the cooperation of the Federal Police; in border security tasks, however, the involvement of civil security and migration agencies was minimal. The results presented in the annual reports of the Calderón Administration are from urban patrols and not from the enforcement of the border. For instance, in 2007, the Navy in coordination with the Secretary of Public security executed urban patrols that resulted in the detention of 623 illegal immigrants.[471] In 2008, the Navy reported a detention of 984 illegal immigrants as a result of individual and joint operations.[472] And in 2009, it reported the detention of 259 illegal immigrants.[473] Along with these results, the report includes the detention of criminals and the seizure of drugs and weapons, indicating the tendency of the government to relate security with migration.

In the international arena, the Calderón government realized important efforts to increase cooperation with Guatemala and Belize. However, the relation between security and illegal immigration persisted at the international level. For instance, the High-Level Group of Border Security between those countries and Mexico was reactivated in 2008 with the purpose of improving border security and extending the group's spectrum to social issues. Likewise, the results of regional operations like the South Border Joint Operation between Guatemala and Mexico reported 2009 results to include the detention of 528 illegal immigrants, and seizure of 45 rounds of ammunition and eight stolen vehicles.[474] These results illustrate that security operations were used to deter illegal immigration, and that there was no compromise with the expansion of joint operations.

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[470] Cuarto Informe de Ejecución 2011, 110.

[471] Primer Informe de Ejecución 2007, 58.

[472] Segundo Informe de Ejecución 2008, 64.

[473] Tercer Informe de Ejecución 2009, 88.

[474] Ibid., 88.

3. Efficiency Gap

This gap is related to the effectiveness of the plans and programs to regulate illegal immigration on the southern border of Mexico. Observations from previous gaps illustrate that the Calderon government was assertive in identifying the need to control the border and to protect illegal immigrants. However, plans and programs implemented had broadly-defined objectives, strategies, and responsibilities that did not contribute to their effective implementation. The government placed emphasis on combating organized crime throughout the country, and migration issues passed to second place. Coordination among agencies and different levels of government focused on security issues and not on the regulation of migration. The government assigned resources to control the border, increasing the presence of security agencies. Instead of deterring the flows of illegal immigrants and organized crime, however, they evolved and collided, resulting in disastrous consequences for migrants.

For the regulation of migration, the Calderon administration provided legal channels to draw migrants from illegality, but it offered opportunities for regional rather than transit migrants. All efforts had good intentions, but they were not based on a sound diagnosis of the southern border of Mexico, nor the origins and patterns of Central American illegal immigration in transit. The government believed that, by improving the economic conditions of the region, the incentives of Central Americans to migrate would be reduced, ignoring other characteristics and motives producing it. Furthermore, the war against organized crime had harmful effects in Central America, forcing more migration; hence, the government tried to regulate a problem that helped to worsen.

The evaluation of the measures implemented was another problem. The annual reports of the government did not present an analysis or at least a description of how the plans to control the border and regulate migration were operating, their costs and benefits. And since there was no agency directly responsible for the joint plans and operations implemented to control the border, their supervision and accountability were difficult. The major problem in trying to determine the effectiveness of plans and programs to regulate illegal immigration during the Calderón administration is their combination with security issues, the lack of specific objectives and assignment of

responsibilities for their implementation, and the absence of information on the results obtained with each operation.

The Calderon administration made important advances in migration issues. For instance, it was able to define the Plan for the Reordering of the Southern Border of Mexico to regulate illegal immigration, considering social, economic and security factors. Furthermore, the government reformed the legal migration framework to increase the protection and opportunities for migrants, established new visas and permits to facilitate legal border crossings, and implemented temporary-worker and regularization programs. The National Migration Institute was reinforced with the creation of Officers for the Protection of Migrants, the establishments of new migration stations, the creation of the National Population Council and the Manual of Migration Criteria and Procedures, the implementation of information systems, and the development of training programs. However, these programs lost strength with the involvement of the government in the war against organized crime, and the government failed to adapt them to new migration patterns.

The Plan for the Reordering of the Southern Border of Mexico was created to lead government efforts to secure the border and regulate illegal immigration, but after the President announced this plan in 2006 and included it in the National Development Plan, it disappeared from official references. For instance, in the annual government reports, nothing was mentioned about this plan. Likewise, the Senate in Gazette 369 of March 28, 2012, manifested that Congress ignored the actions and results of the implementation of the plan and its update as a consequence of the enactment of the Migration Law. Senators mentioned that they needed information about the effect that the plan had in protecting migrant rights and its contribution to the security and development of the region.[475] The involvement of Congress to oversee the execution of government plans is remarkable, but doing it at the end of the administration was unproductive.

The Calderón administration, through programs such as the Migratory Form for Border Workers (FMTF) and the Local Migratory Form for Visitors (FMVL), tried to

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[475] Senado de la República LXI Legislatura, Gaceta 369.

regulate migration, giving more opportunities for illegal immigrants to adopt legal channels for entering Mexico. The FMTF and the FMVL were offered for border residents, excluding the Hondurans that represented the faster-growing illegal immigration flow. Many Central Americans enter Mexico through illegal POEs to buy goods and return to their countries, and if they use the FMVL to enter Mexico, they would not be able to return with all that merchandise without paying taxes. Temporary regional migrants, therefore, have few incentives to use formal crossings. Furthermore, the infrastructure of border bridges and legal POEs was not enough to handle effectively the movement of people and goods.

The National Migration Institute was reinforced with the construction of new facilities, training, and the creation of specialized groups, but they were insufficient to protect migrants and eradicate corruption in that institution. The new facilities were migration stations for the lodging of migrants waiting to be repatriated instead of border infrastructure and checkpoints. Furthermore, an evaluation of the Mexican Secretary of Communications and Transportation concluded that the eight legal POEs between Mexico and Guatemala had problems of insecurity, saturation of service, traffic congestion, and lack of infrastructure,[476] and these deficiencies were not addressed.

Courses on human rights and migration processes were implemented to professionalize the National Migration Institute; however, corruption and abuses continued. For instance, in 2008, it received 244 official complaints for arbitrary detention, extortion, and abuses, and this number increased to 415 in 2010. In 2011, the National Human Rights Commission (CNDH) placed the National Migration Institute in third place for human rights violations, with 1,301 complains.[477] However, there is no reliable information about the sanctions to migration officials. According to Human Rights Watch, the National Migration Institute fired 350 agents linked to organized crime.[478] Other reports indicate that between August 2010 and May 2011, the institute

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[476] Manaut, "Migración y Seguridad," 185.

[477] Senado de la República LXI Legislatura, Gaceta 369.

[478] González-Murphy, Protecting Immigrant Rights in Mexico, 57.

sanctioned 200 agents for crimes against migrants and corruption.[479] According to information provided by the National Migration Institute in response to a resolution of the Federal Institution for the Access to Information (IFAI), only 21 migration agents were sanctioned for violations of migrants' human rights.[480] Regardless of all efforts to eradicate corruption, eight migration officials were found involved in the massacre of San Fernando, proving the level of deterioration in the institution.[481]

The Calderon administration argued that improving the economic conditions of migration expulsion zones would reduce the incentives to migrate. And for that purpose, it implemented the Program for the Creation of Employment in Marginal Zones (PCEZM) and continued with the Mesoamerica Project. The PCEZM granted credits to small and medium companies of specific communities through a process that included evaluation and monitoring.[482] However, it was poverty and not emigration that decided which communities to support, and resources were granted according to the feasibility of projects rather than to their impact in reducing migration. Furthermore, this program was not directly related to the regulation of transit migration, and there is no assessment indicating that illegal immigrants come only from marginal zones. The Mesoamerica Project was successful in specific areas as energy distribution, but there is no possible way to argue that it has an impact in illegal immigration prevention.

The most important advance of the Calderon administration to regulate illegal immigration was the reforms to the General Population Law and the Migration Reform. Although it is not possible to assess their application, some issues have called the attention of non-state actors. First, the Migration Law did not include a provision to grant a transit visa for humanitarian purposes that would allow Central Americans to cross Mexico and reach the United States legally, reducing the vulnerability of illegal

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[479] Alba and Castillo, Migration Management in Mexico, 7.

[480] "En Sexenio de FCH Hubo 21 Sanciones a Migración: IFAI," El Universal (July 30, 2013), accessed October 25, 2014, http://www.eluniversal.com.mx/nacion-mexico/2013/en-sexenio-de-fch-hubo-21-sanciones-a-migracion-ifai-939265.html.

[481] González-Murphy, Protecting Immigrant Rights in Mexico, 58.

[482] "Cuarto Informe Trimestral 2011 de los Programas Sujetos a Reglas de Operación y de Otros Servicios," Secretaría de Economía (January, 2012): 74, 82.

immigrants. Second, with the participation of security agencies in the enforcement of migration laws, migrants were treated as criminals even though they are not. Third, there is no information available about the promotion of the new migration provisions that could urge migrants to use them. Finally, the Migration Law facilitated the regulation of migration, but the government strategies continued to be restrictive and oriented to security.

The Calderón administration used the security arrangements to regulate migration. The use of belts of control, multiple check points, and the militarization of the border that characterized the Southern Plan during the Fox government to regulate migration were not explicit in the Plan for the Reordering of the Southern Border of Mexico, but measures implemented were even tougher. The involvement of more security forces to secure the border and fight organized crime was used evenly to enforce migration laws and to watch drug trafficking routes. Therefore, the war against organized crime dispersed efforts to regulate migration and made migrants more vulnerable to organized crime and corrupts officials.

C. THE REGULATION OF ILLEGAL IMMIGRATION IN THE ENRIQUE PEÑA NIETO ADMINISTRATION

Enrique Peña Nieto took office as President of Mexico in December 2012. With two years in power, is difficult to reach conclusions about the performance of its government in the regulation of illegal immigration along the southern border of the country. Furthermore, academic assessments about the migration policy of the Peña Nieto administration and official reports are limited. However, it is important to identify the political discourse of this administration on migration issues and the instruments in place that will lead the efforts of the government. The analysis presented in this section is focused on the statements given by President Peña Nieto, articles in newspapers, the National Development Plan 2013–2018, and other official documents. The objective is to identify the vision of this administration to regulate migration, how that vision has been embodied in plans and programs, and the characteristics of those instruments to facilitate the regulation of Central American illegal immigration and the control of the southern border.

1. Context

During his political campaign, Enrique Peña Nieto was aware that one of the priorities of civil society was insecurity, including its effects on illegal immigrants. With the advantage he had over the rest of the competitors for the presidency, he took a discrete stand, making just vague comments about his security strategy and his position in migration issues. For some experts, President Peña Nieto did not consider migration a top priority, and they predicted that the administration would take a discrete strategy in the promotion of migration reform in the United States as during the Calderón administration.[483] In his 266 campaign promises, he did not include any related to migration.[484] However, the Electoral Platform 2012–2018 of the Institutional Revolutionary Party, which was used during the Peña Nieto campaign, includes specific migration issues. For instance, it affirmed the responsibility of the state to protect the human rights of migrants and the necessity to establish regional agreements to regulate migration. It also recognized that civil society and non-state actors must be invited to participate in the definition and implementation of migration policies.[485]

The Peña Nieto administration identified the social, economic, political, and security factors related to migration, but it soon fell into contradictions. On one hand, the government recognized that migration could only be regulated with a regional and integral perspective and not as a problem that could be solved with fences and policing.[486] But on the other hand, it mentioned the intention of promoting a regional security policy with the United States and Canada that includes migration.[487] Therefore, it was possible to infer the securitization of migration during this administration.

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[483] Alba, "Mexico: The New Migration Narrative."

[484] "266 Compromisos de EPN," El Universal, accessed October 25, 2014, http://www.eluniversal.com.mx/graficos/red_politica/RP-Compromisos/.

[485] "Plataforma Electoral y Programa de Gobierno 2012–2018," Partido Revolucionario Institucional (February 2012): 42, http://pri.org.mx/transformandoamexico/Documentos/PlataformaElectoral2012_2018.pdf.

[486] "Plataforma Electoral y Programa de Gobierno 2012–2018," 94, 5.

[487] Ibid., 94, 5.

The context of the new government is complicated because it has to deal with the atmosphere of insecurity, violence, organized crime, and the abuses against migrants. The efforts of previous administrations to strengthen the National Migration Institute did not have the intended results. Furthermore, the administration has to face the challenge to implement the new migration legal framework with the respective learning curve and the scandals of corruption and weaknesses of migration and security agencies. It is also expected that the administration will implement provisions to control the southern border of the country to foster regional integration. According to Adam Isacson, Maureen Meyer, and Gabriela Morales, President Peña Nieto is interested in a more concerted security effort on the southern border of the country with support from the United States. They argue that the creation of the 21st Century Border defined in the Mérida Initiative will gain relevance during the Peña administration.[488] Therefore, it can be anticipated that the Mexican government will use a strategy similar to the one used during the Fox administration.

As described in Chapter II, the number of Central American illegal immigrants reaching the United States has increased considerably, including unaccompanied infant illegal immigrants. Civil society, non-state actors, and the media have been active on denunciating the suffering of migrants and influencing public opinion to pressure the Mexican and U.S. governments to protect migrants and offer an humanitarian response to their needs. This variable was not present during the application of the Southern Plan in 2001. Hence, the measures implemented by the Peña Nieto administration have to respond to the insecurity of the country and simultaneously to the protection of migrants.

2.   Plans and Programs

An accomplishment of the Peña Nieto administration is the recognition of the vulnerability of the southern border of the country and the necessity of a model for the management of the border.[489] The starting point for the design and implementation of

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[488] Isacson, Meyer, and Morales, Mexico's Other Border, 5.

[489] Plan Nacional de Desarrollo 2013–2018, Diario Oficial de la Federación 20–05-2013, 97. Accessed October 19, 2014, http://www.diputados.gob.mx/LeyesBiblio/compila/pnd.htm.

migration policies is the National Development Plan 2013–2018. It contains objectives and strategies for the regulation of migration. Some issues stand out from this plan. First, it recognizes the complexity of the Mexican borders and the lag that the southern region has in comparison with the north. Second, the plan affirms that a model is needed for the management of the border. Third, it proposes the implementation of an integral program for the regulation of migration with the participation of civil society and under humanitarian principles. Fourth, the plan identifies that migration policies must be originated from a democratic planning process, based on information and statistics, and constantly evaluated. Finally, it acknowledges that not all illegal immigrants are equal, and that vulnerable groups require special attention. Therefore, this plan represents an advance in the regulation of illegal immigration in comparison with previous administrations.

To face the challenge of the regulation of migration, the Peña Nieto administration convened civil society and non-state actors for the formulation of a migration policy. During the first half of 2013, this administration began the development of the Special Migration Program 2014–2018 with the participation of the agencies involved in the regulation of migration, academics, civil society, and all branches and levels of government.[490] For the design of the program, the Peña Nieto administration used the National Democratic Planning System that included a diagnostic of illegal immigration in the country in its stages of origin, transit, destination, and return.

Non-state actors and civil society participated in the elaboration of the program through five regional forums between October and December 2013, in which proposals were discussed.[491] This program can be summarized in four points: Optimize the administrative process for immigration, ensure the protection of the rights of migrants, increase border security, and improve equipment, technology, and infrastructure.[492] Likewise, the government created the Migration Policy Unit (UPM), the National

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[490] Ross, "Politica Migratorio Peña Nieto," 14.

[491] Unidad de Política Migratoria, Secretaría de Gobernación, "Foros Nacionales de Consulta Pública del Programa Especial de Migración 2014–2018," Segob, 2013.

[492] "Programa Especial de Migración 2014 – 2018," DOF 30/04/2014. Accessed June 1 2014. http://www.dof.gob.mx/nota_detalle.php?codigo=5343074&fecha=30/04/2014.

Migration Institute's Citizen Council, and the Advisory Council on Migration Policy of the Ministry of the Interior to propose and implement the migration policy of the country.[493]

One accomplishment of the actual Mexican administration is the definition of specific programs for the development of the southern region of the country, for the prevention of trafficking in persons, for the regulation of migration, for public security procurement, and for national security.[494] For instance, in November 2013, President Peña Nieto launched the Support Program for the Border Areas with a budget of approximately $ 2.36 billion. This program contains six actions: the closure of customs checkpoints (Garitas), economic support to low-income families, the promotion of tourism, special measures to protect consumers, infrastructure projects, and capitalization of the National Development Bank for the lending of credits.[495] These actions are oriented to promote regional economic development and facilitate trade. The plan did not contain any migration or security provisions when it was launched. However, this approach and the essence of the Special Migration Program 2014–2018 changed with the implementation of other programs related to security support by the United States.[496]

In July 2014, the Peña Nieto administration implemented the South Border Program with the purposes of protecting the human rights of migrants in transit through Mexico and the reordering of legal Points of Entry (POEs) to foster regional security and development. The program includes five strategies. First, the enforcement of formal and orderly border crossings to give certainty and security to migration flows and to maintain migration records. This strategy includes the implementation of the Regional Visitor Card (TVR). Second, border management and greater security for migrants including the enhancement of border infrastructure and operation of legal POEs and the transformation of customs checkpoints in Integral Attention Centers for Border Transit (CAITFs).

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[493] Lorena Guzmán Elizalde, "Estudio Regional sobre Políticas Públicas de Integración de Migrantes en Centroamérica y México," Sin Fronteras IAP (January, 2014): 19.

[494] Diario Oficial de la Federacion, DOF 30–04-2014, http://www.dof.gob.mx/index.php?year=2014&month=04&day=30.

[495] "Programa de Apoyo a la Zona Fronteriza."

[496] Isacson, Meyer, and Morales, Mexico's Other Border, 22, 4.

Likewise, this strategy includes the reinforcement of mobile checkpoints to grant the order and legality of the flows of people and goods across the southern border. Third, the expansion of migrant social protection with medical units, the modernization of migration stations, cooperation with humanitarian organizations, and support to the National System for the Integral Development of the Family (DIF) that provides temporary shelter to unaccompanied infant illegal immigrants. Fourth, foster regional co-responsibility with the participation of the government in international migration forums. Finally, promote interagency coordination with the creation of the Coordination for the Integral Attention of Migration in the South Border.[497]

The South Program is a combination of the Southern Plan implemented during the Fox administration and the Plan for the Reordering of the Southern Border of the Calderón government. It includes security measures, border restrictions, and calls for the reordering of the border for the regulation and protection of migrants. The South Program considers the reinforcement of the participation of security agencies to secure the border, bringing again the idea of mobile checkpoints and belts of control to combat organized crime while protecting illegal immigrants.[498] However, this program is more specific and coherent with the realities of the border. For instance, the program identifies five different border regions for its management, which are related with migration routes and the geography of the southern border.[499] Furthermore, the belts of control include internal points in Huixtla, Comitán, Palenque and Playas de Catazajá, which are important nodes in the migration routes.

Another improvement of the plan consists of the organization of the South Program. The Mexican Navy is assigned for the coordination of security efforts at the border.[500] The deployment of security forces along the border is coordinated with

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[497] "Pone en Marcha el Presidente Enrique Peña Nieto el Programa Frontera Sur," Presidencia de la República, last updated July 07, 2014, http://www.presidencia.gob.mx/articulos-prensa/pone-en-marcha-el-presidente-enrique-pena-nieto-el-programa-frontera-sur/.

[498] Isacson, Meyer, and Morales, Mexico's Other Border, 21.

[499] "Despliega Marina Plan de Vigilancia en Frontera Sur," El Diario.mx (September 08, 2013), accessed October 08, 2014, http://diario.mx/Nacional/2013-09-08_1c884049/despliega-marina-plan-de-vigilancia-en-frontera-sur/.

[500] Ibid.

Guatemala, the checkpoints are mixed with agents of the three levels of government,[501] and the CAITFs are established with the participation of the National Migration Institute, Customs, the Federal Police, and the armed forces.[502] The security agencies involved in the program will have better equipment to operate along the border, and the National Migration Institute will have the capacity to register biometric information of migrants, consult data bases and share information in real time with other national and international agencies.[503]

As in the Plan for the Reordering of the Southern Border, the South Plan lacks dispositions to facilitate transit migration. The efforts for the management of migration and the control of the border are oriented to allow regional movements in the southern-border states. In April 2014, the Secretary of the Interior announced the implementation of the program Safe Passage (Paso Seguro) that would consists of temporary-worker programs and regional visitor cards to Guatemalans and Belizeans.[504] Finally it was included in the South Program in the form of the TVR and the Border Worker Card. The TVR is a free instrument offered to border residents to enter Chiapas, Campeche, Quintana Roo, and Tabasco for up to 72 hours without need of a visa. Likewise, the Border Worker Card allows permanency in the southern states of the country to holders of this instrument and their families for up to a year.[505] With these instruments, the Peña Nieto administration maintained the southern border open for regional movements as in previous administrations, but it could reduce informal crosses and foster family unification. However, this option results in no protection for transit migration.

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[501] Isacson, Meyer, and Morales, Mexico's Other Border, 35.

[502] "México y Guatemala Protegerán a Migrantes," El Universal (July 8, 2014), accessed October 12, 2014, http://www.eluniversal.com.mx/nacion-mexico/2014/impreso/mexico-y-guatemala-protegeran-a-migrantes-216921.html.

[503] Ibid.

[504] "El Gobierno Federal Implementará el Programa 'Paso Seguro' en la Frontera Sur, con la Finalidad de Reordenar el Fenómeno Migratorio de esa Región," Observatorio de Migración Internacional," last updated April 1, 2014, http://www.omi.gob.mx/es/OMI/Abril_2014.

[505] "Darán Green Card para la Frontera Sur," El Economista, accessed October 12, 2014, http://eleconomista.com.mx/sociedad/2014/07/07/frontera-sur-programa-proteccion-migrantes-epn.

To improve the regulation of migration along the southern border of the country, the Peña Nieto administration created the Coordination for the Integral Attention of Migrants.[506] The government made this decision in response to the increase of Central American illegal immigrants crossing the country, and the exposure and criticism that railroad use has received. This body is responsible for synchronizing and monitoring migration policies and related actions, and the agencies involved in migration issues are obligated to agree to matters within their competence with the coordinator.[507] However, there are no representatives of the different agencies in the coordination, communication and operation processes are not defined, authority and subordination relations are confusing, and this body does not have real power over the distribution of resources and the execution of operations. The government has already implemented the Special Program for Migration, the Migration Policy Unit, and the Advisory Council on Migration Policy. The creation of another institution—without defining its relation with previous programs, and without the organizational strength to execute its mission—is harmful to the regulation of migration.

The implementation of several programs and institutions with similar missions, and the mixture of security responsibilities and arrangements with the regulation of migration complicates the understanding of what the Peña Nieto administration is trying to do. For instance, the Secretary of the Interior Miguel Osorio Chong declared that the South Program was not intended to close the border, but to prevent illegal immigrants from been victims of organized crime. He argues that the security arrangement will stop transit migrants without papers from entering the United States at the beginning of their journey north for their own safety. Osorio Chong recognized that previous administrations lacked a migration policy, demanding new strategies that include operations to prevent migrants from using the railroad known as "La Bestia."[508]

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[506] "México y Guatemala Protegerán a Migrantes."

[507] "Decreto por el que se Crea la Coordinación para la Atención Integral de la Migración en la Frontera Sur," Diario Oficial de la Federación, DOF 08/07/2014, accessed October 23, 2014, http://www.dof.gob.mx/nota_detalle.php?codigo=5351463&fecha=08/07/2014.

[508] "SEGOB: Migrantes Sin Documentos No Entrarán a México," El Universal, accessed July 16, 2014, http://www.eluniversal.com.mx/nacion-mexico/2014/migrantes-documentos-ingreso-mexico-segob-1023853.html.

Humberto Mayans Canabal, responsible for the Coordination for the Integral Attention of Migration in the Southern Border, pointed out that this strategy consisted of developing programs to guarantee the security of migrants, the eradication of organized crime groups harassing migrants, and the improvement of the railroad infrastructure. Mayans and other officials offered additional details for the implementation of the strategy. However, what is disturbing is that the only physical measure described to prevent the use of the railroad is its improvement to increase its speed of operation, a measure that could cause more harm to migrants.[509] Furthermore, the Coordination does not have authority over security issues or the capacity to define security operations.

The Peña Nieto administration has created several programs and organizations for the management of the southern border and the regulation of migration, but there is no information available to describe a coherent system and identify how it is working. With security and migration agencies operating independently but in coordination, and with different coordination agencies in charge, the lack of documentation and evaluation is understandable. International organizations and non-state actors mention that Mexican authorities are reluctant to provide information about the programs implemented to manage the southern border. For instance, a report from the Washington Office on Latin America mentions the lack of transparency from the government.[510] This may be due to the resistance of agencies to be scrutinized by the public opinion, for national security, or because, indeed, the information does not exist.

There is no information available to make conclusions regarding the efficacy of strategies the government used to manage the southern border of the country and regulate migration. But it is evident that the Peña Nieto administration has combined security and migration issues into a system that disregarded the good practices through which it was created. The government identified points of intervention and created instances for their attention, but the annexation of more bureaucracy without justification, and the lack of transparency, coordination, and evaluation will complicate the management of the

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[509] "Buscan Evitar el Abordaje a La Bestia," El Universal, accessed August 26, 2014, http://www.eluniversal.com.mx/nacion-mexico/2014/impreso/buscan-evitar-el-abordaje-a-8216la-bestia-8217-218145.html.

[510] Isacson, Meyer, and Morales, Mexico's Other Border, 30.

southern border and the regulation of migration. Moreover, the economic, social, security, and humanitarian factors of immigration must be rescued from the security arrangement that the government has implemented.

V.   CONCLUSIONS

This thesis sought to determine why plans and programs implemented by the Mexican government, since 2000, have been ineffective in regulating illegal immigration on the southern border of Mexico. The hypotheses proposed argued that plans and programs to regulate illegal immigration have failed because of deficiencies in the policy-making processes and their implementation. Deficiencies related to the policy-making processes are related to an absence of policies, internal and external pressures, poorly defined or nonexistent objectives, lack of a legal framework, and policies developed without an integrated approach. Likewise, deficiencies in the implementation of plans and programs are related to corruption, a lack of coordination among various government levels and agencies, incoherence between objectives and resources, insufficient evaluation tools, and an absence of infrastructure and technology.

To validate the hypotheses proposed, this study described Central American illegal immigration's origins and trends, the attribute of Mexico as a transit country for migration, and the characteristics of the southern border of Mexico. The analysis was designed to identify the behavior and components of the system that migration plans and programs try to regulate and the points of intervention. Furthermore, migration policies implemented to control illegal immigration during the Vicente Fox administration from 2000–2006, the Felipe Calderón administration from 2006–2012, and the current administration of Enrique Peña-Nieto were used as case studies. The methodology for the assessment of the case studies focused on three gaps. The first was the discursive gap, consisting of the difference between political discourse and the plans and programs proposed. The second was the operational gap that differentiates between the enactment of plans and programs and their implementation. Finally, the efficiency gap describes the impact that those plans and programs have on the regulation of Central American illegal immigration.

The first step in the development of this study was the assessment of Central American illegal immigration in transit through Mexico. From the information presented in Chapter II, it is concluded that the causes of those migration flows are diverse,

including economic, social, and security factors. However, the influence that each exerts over Central American illegal immigration patterns has changed according to domestic and international contexts. Security issues were predominant during the twentieth century because of civil wars in Central America. Likewise, economic issues became relevant for defining migration trends with the adaptation of a neoliberal economy in that region, and the expansion of globalization and economic interdependence. Transnational organized crime in Central America and the related violence has again forced migration into the agenda of origin, transit, and destination countries. Furthermore, the social networks created with the mobility of people from Central America to the United States since the 1980s, along with the interruption of circular migration, helped to produce illegal immigration flows that go beyond security and economic issues. Hence, the economic gap between North and Central America, the violence generated by Mexican cartels and Maras, and the strength of social networks make it less likely that illegal immigration can be regulated without integral and realistic policies that consider the combination of all conditions producing it.

Mexico's multifaceted character as a country of emigration, immigration, and transit makes it more and more difficult to regulate illegal immigration along its southern border. As an emigration country, Mexico has fostered policies for regional integration with the United States in economic and security issues, offering stricter control of its southern border in exchange for migration reform that favors Mexicans. As an immigration country, Mexico implemented several instruments such as temporary-worker permits, regularization programs, and border-resident visas. Likewise, the migration legal framework was reformed to provide more certainty and services to immigrants. However, Mexico has failed as a transit country because it has not implemented any instrument or policy to regulate and protect migration flows crossing it. For example, Mexico apprehends as many Central American illegal immigrants as does the United States. Although it decriminalized illegal immigration, transit migrants are unprotected from organized crime and corrupt authorities.

From the analysis presented in Chapter III, it can be concluded that the southern border of Mexico is a complex problem due to its geopolitical conditions, the informal

relations between communities on both sides of the border, and the actors participating in its conceptualization; therefore, its control is difficult. The geographic features of the border, for example, facilitate illicit traffic through the jungles, mountains, and rivers. In contrast, these characteristics complicate its management. Furthermore, Mexico and Guatemala established the border to delineate each country, but they did not break the social, cultural, and economic links between border communities—links that were strong before the independence of both countries. Civil wars, economic crises, and the natural disasters that displaced Central Americans into Mexico reinforced those relations. In consequence, informal movements of people and goods across the borderland were established, becoming a habit and a necessity for the social and economic stability of the region, and blurring the border. Moreover, the historical centralism of the government, its tendency to look north, and the economic underdevelopment of the south intensified the abandonment of the southern border of the country.

The complexities of the border, soft policy from the United States, and the recognition that Central American migration to southern Mexico was beneficial for regional development and integration pushed the government to adapt a vertical-border approach to regulate illegal immigration. It consisted of feeble controls along the border and tighter ones along main transport networks in the form of belts of control. Hence, the number of illegal points of entry proliferated and the migration routes diversified. The militarization of the border was designed to prevent the spillover of insurgent movements from Central America to Mexico, contain the insurgent movements in the region during the 1990s, and combat organized crime. Armed forces at the border participate in the control of illegal immigration, but their presence is not enough to contain those flows; furthermore, they lack the training and authority to enforce migration laws. The Mexican government oriented its efforts to more manageable areas like the Isthmus of Tehuantepec, a zone in which all migration routes converge. However, the variety of transportation, the weak presence of the state, and the adaptation of illegal immigrants deteriorated the enforcement of the vertical border.

The self-reinforcing cycle of measures and countermeasures between the government, organized crime, and illegal immigration complicate the control of the

border even more. Restrictive measures along main highways to control Central American illegal immigration in transit just made this phenomenon less visible, pushing migrants to take isolated routes and hire the services of professional smugglers. The vulnerability of illegal immigrants crossing Mexico in the shadows, in combination with a weak presence of the state—either to stop or to protect migrants—presented a business opportunity to organized crime. Zetas, Maras, local gangs, and coyotes extort, rape, traffic, and murder migrants, sometimes with the complicity of corrupt officials and the indifference of society.

The illegal points of entry throughout the southern border of Mexico and the migration routes to cross the country have been identified, and the most dangerous routes have been documented by various sources. Also, there is evidence of the economic, social, and security factors producing and shaping illegal immigration flows. Considering that information, it was expected that—in addition to the acceptance of the complexity of closing the border and stopping transit migration—the Mexican government would design and implement plans and programs to regulate and protect migrants. To verify this, the thesis included the assessment of migration policies from three different administrations.

From the assessment of the Fox administration, it can be concluded that the plans and programs implemented to regulate Central American illegal immigration along the southern border of Mexico failed. The discursive gap was almost non-existent because there was coherence between government statements and proposed migration policies; however, the operational and the efficiency gaps were evident. In sum, President Fox oriented his efforts to promote migration reform for the benefit of Mexican migrants; hence, measures implemented to control the southern border followed the foreign policy of the country and external pressures, relegating the regulation of illegal immigrants and their protection to the background.

The absence of the discursive gap does not mean that plans and programs proposed were developed from a risk assessment, nor with a systemic approach and through a planning process that identified the origins and effects of illegal immigration, the points of intervention, and the role of non-state actors. To determine the character of

the operational gap, the assessment of the Fox administration considered the definition of objectives, the assignment of responsibilities and resources, and coordination. Plans and programs implemented during this government lacked those components. For instance, the Southern Plan's objectives and strategies were broadly defined, and lacked resources, processes for coordination, and metrics for evaluation. Moreover, there was no agency with the authority and resources to control the border. The National Migration Institute, as coordinator, did not have the organizational strength, resources, professionalism, or continuity of their functionaries to carry out that responsibility. Furthermore, the Proposal of Integral Migration Policy for the Southern Border of Mexico, which could have contributed to the regulation of illegal immigration, was not implemented.

Due to a lack of information, trying to determine the efficiency of plans and programs to regulate illegal immigration during the Fox administration is complicated. An increment of migrants deported is not enough indication of success. However, it is possible to conclude that those instruments failed because they were not designed for regulation but for restriction. The regulation of Central American illegal immigration was not an end in the Fox government; instead, it was a political tool used as a bargaining chip to obtain a U.S. migration reform on behalf of Mexican illegal immigrants residing in the United States. The government tried to close the border and to securitize illegal immigration, forgetting the economic, social, and security factors originating and shaping migration flows. Closing the border with belts of control isolated migrants and made them more vulnerable. The lack of a legal framework, according to the realities of the country and the conditions of its southern border, also complicated the execution of programs. Furthermore, the international agreements implemented were guided by security and not by regulatory concerns.

The Calderón administration took an different approach from that of the Fox government. Instead of offering to close the border to the United States for migration reform, it declared a war against organized crime. Border management and the regulation of illegal immigration became part of government security. This administration argued that reordering the border would bring security to the region, and it was consistent in translating those statements into specific plans and programs. The best examples of the

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country's migration policy were the inclusion—for the first time in Mexico—of provisions for border security and the regulation of migration in a National Development Plan, the creation of the Plan for the Reordering of the Southern Border of Mexico, and the formation of Joint Operation Units. Hence, the discursive gap was non-existent because the Calderon government was assertive in translating the political discourse into actual plans and programs to control the border and to protect illegal immigrants.

In the case of the operational gap, the plans and programs implemented during the Calderón administration had broadly-defined objectives, strategies, and responsibilities. The Plan for the Reordering of the Southern Border of Mexico, created to lead government efforts to secure the border and regulate illegal immigration, was mentioned in the National Development Plan but disappeared from further official reports as the Joint Operation Units. There is not enough information to determine the amount of resources designated to regulate migration, but it is possible to affirm that the government placed emphasis on combating organized crime throughout the country, and the regulation of Central American illegal immigration passed to second place.

The Calderon administration provided legal channels for the regulation of migration, but they were focused on regional rather than transit migrants. These instruments were not based on a sound diagnosis of the southern border of Mexico, nor the origins and patterns of Central American illegal immigration in transit. It also implemented programs and designated resources to reinforce the organization and infrastructure of the National Migration Institute, but they lost strength with the involvement of the government in the war against organized crime. Furthermore, the government believed that, by improving the economic conditions of the region, the incentives of Central Americans to migrate would be reduced, ignoring other characteristics and motives involved in migration.

The major problems in trying to determine the efficiency gap were the combination of the regulation of illegal immigration with security issues, the lack of specific objectives and assignment of responsibilities for their implementation, and the absence of information on the results obtained with each operation. The government increased the presence of security agencies; however, instead of controlling illegal

immigrants and organized crime, they evolved and collided, increasing the vulnerability of migrants. Furthermore, the war against organized crime had harmful effects in Central America, forcing more migration. In reality, the government tried to regulate a problem that it had helped to worsen.

The most important advances of the Calderon administration to regulate illegal immigration were the reforms to the General Population Law and the enactment of Migration Law. Ironically, they were a product of the pressure of non-state actors fostering the protection of illegal immigrants in transit trough Mexico. These migrants became victims of the security strategy of the Calderon government. Although it is not possible to assess their application, the lack of a provision to grant a transit visa for humanitarian purposes that would allow Central Americans to cross Mexico and reach the United States has been highly criticized by non-state actors. Finally, the Migration Law facilitated the regulation of migration, but the government strategies continued to be restrictive and oriented to security.

The Peña-Nieto administration started like any other with the recognition of the complexity of the Mexican borders and the need of a model to manage them. It implemented a democratic planning process, emphasizing the use of information, statistics, and evaluation to design and implement migration policies. The government also asked the collaboration of civil society and non-state actors. The plans and programs proposed identified the diversity of migrants and the characteristics of the border for their implementation. The result was the Special Migration Program 2014–2018, materializing the ideas and efforts of many actors in a specific document for the regulation and protection of migrants. Despite program deficiencies, its creation was an advance for the policy-making process in Mexico.

The essence of the Migration Program 2014–2018 changed with the implementation of other instruments. For instance, the government created the South Border Program for the protection of the human rights of migrants, the reordering of the border, and the fostering of regional security and development. Hence, the idea of combining security with migration issues, even though it proved to be disastrous, has been retaken by the Peña-Nieto administration. This program is more specific to the

particularities of border regions, and includes coordination among agencies and with Guatemala, but these are security provisions. Measures to regulate migration included in this plan are oriented for regional and not for transit migration. Instruments such as the Regional Visitor Card, however, could reduce informal crosses and make the border more manageable.

The problem is that programs and instruments created to regulate illegal immigration are not allowed to mature. For instance, the increase of unaccompanied infant illegal immigrants in transit—and the continuous exposure in the media and through non-state actors of the deplorable conditions in which illegal immigrants cross the country—triggers a government reaction. This reaction does not result in the evaluation and improvement of the programs in place and in making the responsible accountable. Instead, it creates more bureaucracy that lacks the resources, organization, knowledge, and authority to offer a real solution. The system that was carefully created to regulate illegal immigration is now full of organizations with confusing and overlapping responsibilities, undermining what the administration was trying to accomplish—and just to keep up appearances.

The Peña-Nieto administration inherited a country flooded in insecurity. The regulation of illegal immigration under that context is complicated because control of the border and the presence of security agencies are needed. However, the government started with ideas, processes, and the intention to bring certainty and protection to Central American migrants under humanitarian and democratic principles. The opportunity, fundamentals, and legal tools exist to return to that path. The current Mexican government is on track to learn from the mistakes of previous administrations and to reevaluate what it is doing and where it is going in relation to the management of the southern border of the country and the regulation of illegal immigration. If not, Mexico will continue as a checkpoint country, submerged in hypocrisy and two-faced discourses, and as one of the biggest graveyards for illegal immigrants.

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